

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2020

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.25677 of 2008

K.Malar

.. Petitioner

Vs

1.The Secretary to Government,
Education Department,
Fort St. George,
Chennai - 9.

2.The Chairman,
Teachers Recruitment Board,
EVK Sampath Maligai,
College Road, Chennai - 6.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus to call for the records connected to impugned proceedings in No.186/A6/08, dated 18.09.2008, passed by the second respondent and quash the same and direct the respondents to conduct the fresh interview pertaining to selection of lectures in special drive of SC/ST candidates more particularly for the 64 post of Mathematics subject is concerned and to publish the same with the interview marks secured by respective candidates.

For Petitioner : Mrs.AL.Ganthimathi

For R1 : Mrs.P.Kavitha, GA

For R2 : Mr.C.Munusamy, Spl.GP

ORDER

The petitioner has filed this writ petition in the year 2008 challenging the impugned proceedings dated 18.09.2008 passed by the second respondent / the Chairman, Teachers Recruitment Board, Chennai, publishing the provisionally selected candidates for the post of Lecturers (Mathematics).

2. Learned counsel for the petitioner would submit that the petitioner had completed Post Graduation in Mathematics during 2001-2003 and subsequently, she had also completed M.Phil. in the year 2006. Whiles, the second respondent issued a Notification dated 18.03.2008 inviting applications from the suitable candidates for the post of Lecturers for 522 shortfall vacancies found in Government Arts and Science College of Tamil Nadu. The Government, vide G.O.Ms.No.8, Higher Education (F2) Department, dated 14.01.2008, announced a special drive for recruitment of SC/ST candidates to fill up 64 posts and accordingly, as the petitioner, who falls under the SC category, had applied for the said post. But, she was not called for the interview under Schedule Caste Women (SW) category, whereas she was called for the interview under Schedule Caste General (SG) category on 18.08.2008. During the interview, although she had answered all the questions, she was not selected. However, the list of provisional selected candidates published by the second respondent would reveal that although cut-off marks for Schedule Caste General category was fixed as 13 marks, the cut-off marks for Schedule Caste Women (SW) was fixed as 11 marks, therefore, he contended, had the respondents considered the petitioner under Schedule Caste Women (SW) category, the petitioner, having secured 11 marks in the interview, would have been selected for the post of Lecturer. But, the second respondent has failed to do so, therefore, a direction may be given to conduct the fresh interview.

3. Learned Special Government Pleader appearing for the second respondent would submit that when the petitioner applied for the post of Lecturers (Mathematics), she had pursued M.Sc. (Master of Science in Applied Science having Applied Mathematics) from Bharathidasan University, whereas the Notification dated 18.03.2008 issued by the second respondent inviting the application from the candidates clearly mentioned that candidates with a Degree and PG Degree in the relevant subject with a minimum of 50% marks alone can apply. But, in the present case, as the petitioner had obtained M.Sc. Degree in Applied Science having Applied Mathematics and she has not studied in Mathematics, she was not selected for the post of Lecturer (Mathematics). Secondly, the petitioner, having obtained M.Sc. Degree (Applied Science having Applied Mathematics) from Bharathidasan University, should have produced an equivalent certificate. But, she has not produced any such certificate, hence, his candidature was rightly rejected by the Board.

4. I fully agree with the above said submission. When the Notification dated 18.03.2008 issued by the second

respondent clearly states that the candidates with a Degree and Postgraduate Degree in the relevant subject(Mathematics) with a minimum of 50 marks can apply, while applying for the post of Lecturer (Mathematics), the petitioner, having studied M.Sc. (Applied Science having Applied Mathematics), ought to have produced equivalent certificate showing that her M.Sc. Degree (Applied Science having Applied Mathematics) is equivalent to M.Sc. (Mathematics). But, she has not produced any such certificate. Therefore, the second respondent has rightly rejected her candidatures for the post of Lecturer (Mathematics). Thus, on this count, the writ petition filed by the petitioner in the year 2008 praying a direction to the respondents to conduct fresh interview cannot be entertained and accordingly, the writ petition stands dismissed as devoid of any merit. No Costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

rkm

To

1.The Secretary to Government,
Education Department,
Fort St. George,
Chennai - 9.

2.The Chairman,
Teachers Recruitment Board,
EVK Sampath Maligai,
College Road, Chennai - 6.

+1 cc to Mr.AL.Ganthimathi Advocate sr20913

+1 cc to Government pleader sr21186

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