



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2020

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P.No.18380 of 2015

K. Krishnakumari

..Petitioner

Vs

1. The Secretary,
Department of School Education,
Secretariat Building,
Chennai - 600 009.
2. The Director of School Education,
Perunthalaivar Kamarajar Centenary
Educational Complex,
100 Feet Road, Anna Nagar,
Puducherry-605 005.

..Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to consider the petitioner representation dated 16.06.2015.

For Petitioner : Mr.R.Udhayakumar

For Respondents : Mrs.Mala
Government Advocate

ORDER

This writ petition has been filed by the petitioner seeking for a direction to the second respondent to consider the petitioner representation, dated 16.06.2015.

2. According to the writ petitioner, the second respondent/Director of School Education herein had issued a notification, dated 26.05.2015 calling for applications for the post of Primary School Teacher in the Department of School Education. Pursuant to the said notification, the petitioner has applied for the aforesaid post on 08.06.2015. Thereafter, she met the Officials in the School Education Department/first respondent to know the status of her application. However, the official concerned had orally informed her that though she satisfies all the eligibility criteria, she had been given to understand that as per the age limit prescribed under the prospectus, she is over-aged by 4 days. Immediately, the



petitioner had given a detailed representation to the second respondent herein on 16.06.2015 to consider the aforesaid issue, but the respondents have not considered the same. However, the petitioner had completed the Teacher training course as prescribed in the prospectus as on October, 2007. As per the age eligibility criteria, the petitioner herein should be between 18 and 32 years as on 17.06.2015 which is the last date for the receipt of the application. Further the age limit is relaxable for OBC, SC and differently-abled candidates in accordance with the instructions issued by the Government from time to time. As per the reservation and concession rules for the socially and educationally backward classes, the age relaxation for the OBC category is three years. Accordingly, being an OBC candidate, the petitioner's age limit for applying this post is 35 years instead of 32 years. Hence, if the said 4 days over-age is the reason for not considering her candidature, she will be deprived of the said post of the Primary School Teacher. Hence, the petitioner has come forward with the present writ petition.

2. No counter affidavit has been filed by the respondents in this case.

3. Heard both sides and perused the materials available on record.

4. It is seen that the respondents issued a notification for filling up the post for Primary School Teacher - Group B (Non Gazetted). It is also seen that in the aforesaid notification, the age limit was fixed by the Department for applying to the aforesaid post as between the age of 18 and 32 years as on 17.06.2015, which is the last date for receipt of applications. The age limit is relaxable for OBC, SC and Differently-abled candidates in accordance with the instructions issued by the Government from time to time. Further, the age eligibility criteria fixed by the Government is 35 years for OBC candidates as on 17.06.2015. But the petitioner is over-aged by four days. Therefore, the petitioner is seeking for relaxation of age limit by four days. The said relaxation was granted for OBC candidates by the Government and the respondents had granted the relaxation of age limit for OBC as on 17.06.2015, which is 35 years. Moreover, the petitioner is seeking further age relaxation of four days available so that she may be permitted to appear for interview for the post of Primary School Teacher. It is to be mentioned at this juncture that the authority had already granted relaxation as per the Government instructions as on 17.06.2015, more so, for OBC candidates upto 35 years. Further relaxation is not permissible for the petitioner.

5. Considering the aforesaid facts and circumstances of the case and the discussion made, this Court cannot grant further relaxation of the age limit as sought for by the petitioner for four days, pursuant to the notification was



issued by the Department and therefore, there is no substance in the contentions of the writ petitioner and consequently, the contentions of the counsel for the petitioner are liable to be rejected.

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6. With the aforesaid observations, the writ petition is dismissed. No order as to costs.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Secretary,
Department of School Education,
Secretariat Building,
Chennai - 600 009.
2. The Director of School Education,
Perunthalaivar Kamarajar Centenary
Educational Complex,
100 Feet Road, Anna Nagar,
Puducherry-605 005.

+1 cc to M/s.Govindaraj,advocate,sr.13431.

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