

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2020

CORAM :

THE HON'BLE MR.A.P.SAHI, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.A.No.276 of 2020

J.Prabhu

.. Appellant/Petitioner

vs.

1.The State of Tamil Nadu,
rep. by its Secretary to Government,
Higher Education Department,
Secretariat,
Chennai - 600 009.

2.The Chairman,
Teachers Recruitment Board,
4th Floor, E.V.K.Sampath Maaligai,
DPI Campus, College Road,
Chennai - 600 006.

3.The Director of Collegiate Education,
9th Floor, E.V.K.Sampath Maaligai,
DPI Campus, College Road,
Chennai - 600 006.

.. Respondents/Respondent

Appeal filed under Clause 15 of the Letters Patent against the order dated 13.11.2019 passed by the learned Single Judge in W.P.No.31996 of 2019

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petitioner's online application dated 05.11.2019 bearing User ID No. TRBAPG404660 sent in response to the 2nd respondent's Notification No. 12/2019 dated 28.08.2019, in the light of petitioner's representation dated 07.11.2019 and appoint the petitioner to the post of Assistant Professor (Chemistry) under "Persons Studies in Tamil Medium (PSTM) reservation on preferential basis", based on the petitioner's educational qualifications through Tamil Medium of Instructions upto Under Graduate Level i.e B.Sc (Chemistry) qualification level, along with M.Sc (Chemistry) M.Phil and Ph.D

qualifications through English Medium within a time limit to be fixed by this Court.

For Appellant : Mr.G.Thalamutharasu
for M/s.R.M.Makeish Kumaravel

For Respondents : Mr.V.Kathirvel,
Spl. G.P. for R1 and R3

JUDGMENT

(Delivered by The Hon'ble Chief Justice)

The contention raised by learned counsel for the appellant is that if in the Post Graduate programme, the course is not offered in Tamil language, then the very purpose of extending the benefit of Person Studied in Tamil Medium (PSTM) quota is frustrated, as it was not possible for the appellant to pursue the Post Graduate programme in the Tamil language. Learned counsel for the respondents 1 and 3 is correct in his submission that the benefit of the quota cannot be availed of unless the entire courses have been studied in Tamil. In the case of appellant, the fact that the appellant has not completed his M.Sc. (Chemistry), M.Phil and Ph.D. in Tamil language, rather has done it in English language, he cannot avail of the benefit of PSTM quota. Merely because Post Graduate programmes are not being offered in Tamil language in the said subjects cannot be a ground to seek any further benefit, inasmuch as, the appellant still has an opportunity for being considered under general quota. The conclusion drawn by the learned Single Judge, therefore, does not suffer from any infirmity.

In such view of the matter, no case is made out and the appeal is rejected. No costs. Consequently, C.M.P.No.4552 of 2020 is closed.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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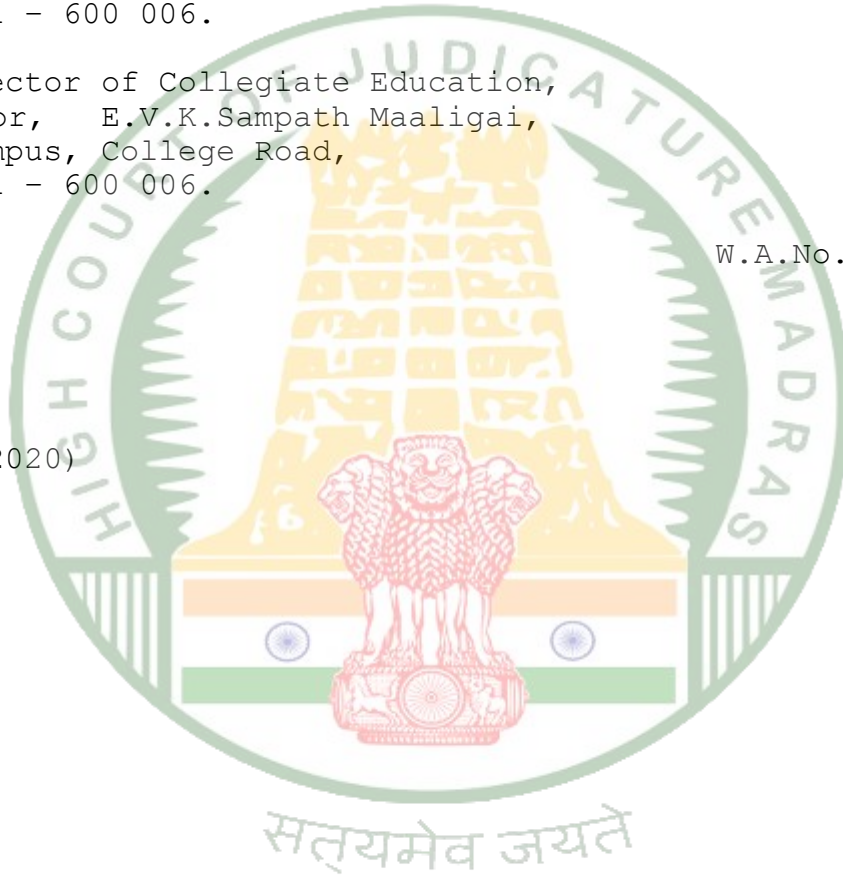
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