



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2020

CORAM:

THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

W.P. (MD) No.26855 of 2019

and

W.M.P. (MD) No.23193, 23196, 23198 and 23197 of 2019

J.Malar Queen Carel

... Petitioner

/vs./

1.The State of Tamil Nadu,
Represented by its Principal Secretary,
School Education Department,
Fort St. George,
Chennai-600 009.

2.The Director of School Education,
Nungambakkam,
Chennai-6.

3.The Chairman
Teachers Recruitment Board,
4th Floor, E.V.K.Sampath Maligai,
College Road, Chennai-6.

4.Member Secretary,
Teachers Recruitment Board,
4th floor, E.V.K.Sampath Maligai,
College Road, Chennai-6.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus, to call for the records relating to the impugned ineligible list published by the third respondent vide proceedings NIL dated NIL (in the official website fo the TRB on 20.11.2019) for direct recruitment for the post of P.G.Assistants/Physical Education Directors Grade I for the year 2018-19 and quash the same as illegal in so far the petitioner is concerned and consequentially to direct the respondents to appoint petitioner as Physical Education Directors Grade I taking into consideration the petitioner's qualification of B.P.Ed. and M.P.Ed.



For Petitioner : Mr.H.Mohammed Imran
for M/s.Ajmal Associates

For R-1 and R-2 : Mr.M.Jeyakumar,
Additional Government Pleader

For R-3 and R-4 : Mr.V.R.Shanmuganathan
Standing Counsel

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ORDER

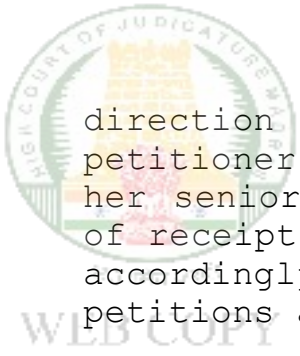
Pursuant to the notification of the third respondent inviting applications for appointment to the post of P.G.Assistants/Physical Education Directors Grade-I, the petitioner, who claims to be qualified to the said post, had applied and was provisionally selected. He had also appeared for certificate verification on 08.11.2019. Through the impugned proceedings, the petitioner was shown to be ineligible for the reason that he had passed one year B.P.Ed course. Challenging the same, the present writ petition has been filed on the ground that merely because the tenure of the B.P.Ed course is one year, it will not be take away the petitioner's right to be considered for appointment.

2.Today, when the matter was called, it is brought to the notice of this Court that a batch of writ petitions have been filed before the Principal Bench of Madras High Court on identical grounds with similar prayers in W.P.No.34297 of 2019 etc., and the learned Single Judge had allowed the writ petitions by an order dated 12.12.2019 quashing the reason cited by the respondent that the petitioners therein are ineligible for recruitment, since they had completed B.P.Ed course in one year.

3.The grounds raised therein as well as the the grounds raised in the present writ petition are one and the same.

4.It is also brought to the notice of this Court that pursuant to the order passed by the Principal Bench of Madras High Court, the petitioner therein was also included in the provisional selection list and as such, the order of the Madras High Court dated 12.12.2019 has been given effect to. While that being so, the petitioner herein who is also similarly placed, would be entitled for being included in the provisional selection list and the reason cited for their ineligibility that they had completed one year B.P.Ed course, cannot be sustained.

5.In the light of the above observations, the impugned ineligible list published on the official website on 20.11.2019, insofar as it relates to the petitioner herein disqualifying her candidature is set aside. Consequently, there shall be a



direction to the fourth respondent herein to include the petitioner's name in the provisional selection list according to her seniority, atleast within a period of one week from the date of receipt of a copy of this order. This Writ Petition is allowed accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(Crl side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

To:

- 1.The Principal Secretary,
State of Tamil Nadu,
School Education Department,
Fort St. George,
Chennai-600 009.
- 2.The Director of School Education,
Nungambakkam, Chennai-6.
- 3.The Chairman
Teachers Recruitment Board,
4th Floor, E.V.K.Sampath Maligai,
College Road, Chennai-6.
- 4.Member Secretary,
Teachers Recruitment Board,
4th floor, E.V.K.Sampath Maligai,
College Road, Chennai-6.

+1 CC to M/s.SPL.GP (SR-2126[F] dated 21/01/2020)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-2306[F] dated 22/01/2020)

Order made in
W.P. (MD) No.26855 of 2019
Dated:20.01.2020

PK(CO)

TP(03.02.2020)3P 7C
<https://hcservices.ecourts.gov.in/hcservices/>