



WEB COPY

W.P.(MD)No.20197 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2021

CORAM

THE HONOURABLE MRS.JUSTICE **S.SRIMATHY**

W.P.(MD)No.20197 of 2014

and

M.P.(MD)Nos.1 and 2 of 2015

V.Kalarani

... Petitioner

vs..

1.The Chairman,

TRB, College Road,
Chennai - 600 006.

2.The Director of School Education,
DPI Campus, Chennai.

3.The Chief Education Officer,
Pudukkottai.

4.The National Council of Teacher Education,
represented by its Chair Person Smt.Rina Ray (IAS),
Hans Bhawan, Wing II,
1, Bahadur Shan Zafar Marg,
New Delhi - 110 002.

5.The University Grant Commission of India,
represented by its secretary,
Bahadur Shan Zafar Marg,
New Delhi - 110 002.

6.The Member of Secretary,
TRB College Road,
Chennai - 6

... Respondents

***(R-4 to R-6 are impleaded, vide order,
of this court, dated 16.11.2021, made in
W.M.P. (MD)No.9291 of 2016
in W.P. (MD)No.20197 of 2014.)***

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to permit the petitioner to join duty as per the selection list published by the first respondent on 06.08.2014 and the allotment made to have at the counselling session, dated 30.08.2014, within the time stipulated by this Court.

For Petitioner : Mr.P.Ganapathi Subramanian



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W.P.(MD)No.20197 of 2014

For R-1 and R-6 : Mr.V.R.Shanmuganathan
For R-2 and R-3 : Mr.R.Ragavendran
Government Advocate (Civil side)
For R-4 : Mr.Su.Srinivasan
For R-5 : No representation

O R D E R

This Writ Petition is filed for issuance of a Writ of Mandamus, to direct the respondents to permit the petitioner to join duty as per the selection list published by the first respondent on 06.08.2014 and the allotment made to have at the counselling session, dated 30.08.2014, within the time stipulated by this Court.

2.The petitioner passed X standard in April 1990, Higher Secondary Education in March 1992, B.A., in Economics with Tamil as part I in April 1995, and M.A., in Economics in April 1997. The petitioner underwent B.Ed., degree in 1996, while she was doing the first year of M.A. After filing the Writ Petition, the sixth respondent, vide proceedings, dated 28.01.2015, has rejected the petitioner's candidature stating that there is over lapping in her education. Therefore, the Writ Petition prayer was amended. Thereafter, the petitioner has filed the impleading petition in W.M.P.(MD)No.9291 of 2016, thereby, impleaded the respondent Nos.4, 5 and 6.

3.The petitioner has done the course of B.Ed., in the year 1995-1996 and M.A., in the year 1995-1997. Admittedly, there is overlapping/simultaneous education, while she was doing B.Ed., and M.A. When there is overlapping/simultaneous education then, the qualification cannot be considered. There are several judgments to this effect that simultaneous degree cannot be considered for appointing in Government or Government Aided Institutions.

4.Therefore, the Writ petition is liable to be dismissed for the above reasons. Accordingly, the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

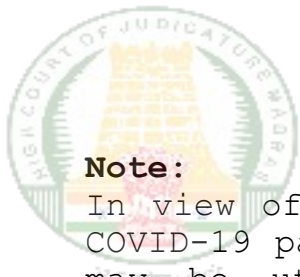
Assistant Registrar(CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

jbr/tmg



Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

- 1.The Chairman,
TRB, College Road,
Chennai - 600 006.
 - 2.The Director of School Education,
DPI Campus, Chennai.
 - 3.The Chief Education Officer,
Pudukkottai.
 - 4.The National Council of Teacher Education,
represented by its Chair Person Smt.Rina Ray (IAS),
Hans Bhawan, Wing II,
1, Bahadur Shan Zafar Marg,
New Delhi - 110 002.
 - 5.The University Grant Commission of India,
represented by its secretary,
Bahadur Shan Zafar Marg,
New Delhi - 110 002.
 - 6.The Member of Secretary,
TRB College Road,
Chennai - 6
- +1 CC to M/s.SU. SRINIVASAN, Advocate (SR-34843[F] dated 17/11/2021

Order made in
W.P. (MD)No.20197 of 2014
16.11.2021

dj (CO)
TR(05.01.2022) 3P 8C