



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.03.2021

CORAM:

THE HONOURABLE **MR. JUSTICE M.DHANDAPANI**

W.P. (MD)No.11111 of 2017

and

W.M.P (MD)No.8519 of 2017

J.Kanni Mary Gracy

... Petitioner

Vs.

1.The Chairman,
Teachers Recruitment Board,
4th Floor, E.V.K.Sampath Maligai,
DPI Compound, College Road,
Chennai-600 006.

2.The Member Secretary,
Teachers Recruitment Board,
4th Floor, E.V.K.Sampath Maligai,
DPI Compound, College Road,
Chennai-600 006.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to include the petitioner's name in between the candidates' serial No.32 (Muthumari @ Ezhilarasi.R) and serial No.33 (Hema.R) of the provisional list of candidates called for certificate verification dated 31.05.2017 and call for the petitioner for certificate verification to be appointed as B.T.Assistant (Mathematics).

For Petitioner : Mr.T.Lenin Kumar

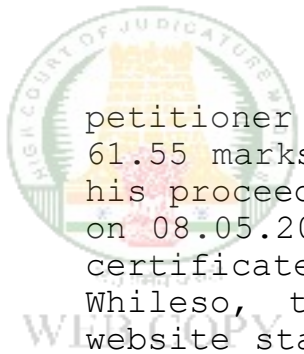
For Respondents : Mr.V.R.Shamuganathan

Special Government Pleader

ORDER

This writ petition is filed by the petitioner to direct the respondents to include the petitioner's name in between the candidates' serial No.32 (Muthumari @ Ezhilarasi.R) and serial no.33 (Hema.R) of the provisional list of candidates called for certificate verification, dated 31.05.2017 and call for the petitioner for certificate verification to be appointed as B.T.Assistant (Mathematics).

2.The case of the petitioner is that she participated in the Teachers Eligibility Test, on 18.08.2013 conducted by the respondents for recruitment to the post of B.T.Assistant. The



petitioner has passed the said test and scored 86 marks and also get 61.55 marks for weightage under BC quota. The second respondent by his proceeding dated 19.04.2014 called for certificate verification, on 08.05.2014. Though the petitioner has produced all the requisite certificates, the respondents did not select the petitioner. Whiles, the respondents updated notification in their official website stating that the candidates who were treated as in eligible in the previous certificate verification process by the Certificate Verification Board for various reasons, can login in the TRB official website and access their details by entering their relevant TET Roll Number. Further the Board decided to give one more chance to the candidates to update their details. Accordingly, the petitioner updated her details. In this connection, the respondents published another notification stating that the vacancies are going to be filled from 2012 TNTET, 2013 TNTET and 2014 TNTET Special TNTET qualified candidates. In the notification, the candidates have been informed that they can download the certificate verification call letter from the website. When the petitioner verified her candidature in the website, her name was not included. Therefore, the petitioner download the provisional list of candidates, who called for certificate verification. To her shock and surprise, the BC candidates, who secured lower marks than the petitioner, were called for certificate verification. Hence the present writ petition is filed.

3.The learned counsel appearing for the petitioner submitted that the petitioner secured 61.55 marks, whereas, the candidates, who secured lower marks, were called for certificate verification. The act of the respondents in not considering the petitioner's candidature, is an unsustainable one. Hence, he prays for allowing the present writ petition.

4.Per contra, the learned Special Government Pleader appearing for the respondents submitted that the cut off marks for BC(W) is 70.04, whereas, the petitioner secured only 86 marks in the TET Test paper II and the weightage marks is 61.55. Further, the learned Special Government Pleader stated that the candidates referred by the petitioner viz., Muthumari @ Ezhilarasi and R.Hema, studied Special B.Ed., and hence they were called for Certificate Verification. Since the petitioner is not having Special B.Ed., qualification, she was not eligible to be called for certificate verification held on 31.05.2017. Hence, he prays for dismissal of the present writ petition.

5.The facts in the present case are not in dispute. Admittedly, the petitioner participated in the selection process for the post of B.T Assistant(Mathematics) and she secured 61.55 marks, whereas, the cut off marks fixed for the selected candidates is 70.04. Further, the candidates referred by the petitioner had undergone Special B.Ed., but, the petitioner is not having Special B.Ed.,



petition cannot be granted. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

WEB COPY

// True Copy //

Sd/-

Assistant Registrar (T&P)

/ /2021

Sub Assistant Registrar(CS)

Ns

To

1.The Chairman,
Teachers Recruitment Board,
4th Floor, E.V.K.Sampath Maligai,
DPI Compound, College Road,
Chennai-600 006.

2.The Member Secretary,
Teachers Recruitment Board,
4th Floor, E.V.K.Sampath Maligai,
DPI Compound, College Road,
Chennai-600 006.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-11832[F] dated
17/03/2021)

**W.P. (MD)No.11111 of 2017
16.03.2021**

KK(24.05.2021) 3P 4C