



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2021

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

W.A(MD)No.458 of 2013

WEB COPY

G.Alagarsamy

... Petitioner/Appellant

Vs.

1.The Teachers Recruitment Board,
Rep. by its Member Secretary,
4th Floor, E.V.K. Sampath Maligai,
College Road,
Chennai - 600 006.

2.The Registrar,
Madurai Kamaraj University,
Palkalai Nagar,
Madurai - 625 021.

... Respondents / Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent,
against the order dated 24.01.2013 passed in W.P(MD)No.1279 of 2013.

Prayer in WP(MD). 1279/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the 1st respondent dated Nil and quash the same is so far as the rejection of the petitioner s candidature for the post of Post Graduate Assistant (Tamil) and consequently directing the first respondent herein to appoint the petitioner to the post of Post Graduate Assistant (Tamil) for the year 2011-2012 treating his B.A. Tamil (Reversible Degree) issued by the 2nd respondent as valid.

For Appellant

: Mr.S.Anwar Saleem

For R-1

: Mr.VR.Shanmuganathan,
Special Government Pleader

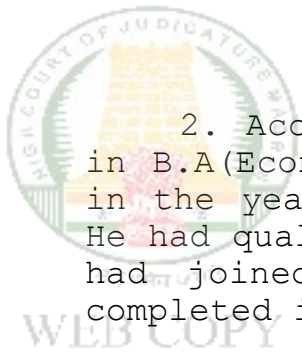
For R-2

: Mr.Mahaboob Athiff

JUDGMENT

**(Judgment of the Court was delivered by
PUSHPA SATHYANARAYANA, J.)**

The appellant, who is the writ petitioner had applied for the post of P.G. Assistant(Tamil), which was rejected and the same was challenged in W.P(MD)No.1279 of 2013, which was also dismissed by the learned Single Judge of this Court, which is under challenge now.



2. According to the appellant, he had completed his graduation in B.A(Economics) in the year 1989 and completed P.G in M.A(Tamil) in the year 1991. He had also completed B.Ed., in the year 1993. He had qualified his M.Phil(Tamil). Thereafter, the writ petitioner had joined B.A(Tamil) in the second respondent University and completed in the year 2004.

3. The appellant had applied for the post of P.G Assistant (Tamil). As per the selection process, the candidates have to go for the written examination and certificate verification. The appellant had also scored 115 marks out of 150 marks in the written examination. After the merit list was published, he was called for certificate verification. However, on 11.12.2012, when the selection list was published, the candidature of the petitioner was rejected. Challenging the order of rejection, writ petition was filed.

4. The learned Single Judge based on the decision, reported in **2012(5) CTC 129(R.Thirunavukkarasu vs. the State of Tamil Nadu)**, dismissed the same. The dismissal was based on the stand taken by the respondents not to appoint a person, who had secured only a one year degree in a subject. In the instant case also, the appellant/writ petitioner had obtained degree in Tamil in a one year degree course. Aggrieved by the same, the present writ appeal is filed.

5. The Decision in **2012(5)CTC(cited supra)** was taken on appeal in W.A(MD)Nos.529 of 2013 etc., batch and decided on 05.02.2014 affirming the order of the learned Single Judge and dismissing the writ appeal.

6. Both the learned counsel conceded that the issue raised in this writ appeal is directly covered by the decision rendered in the above said W.A(MD)Nos.529 of 2013 etc., batch.

7. In view of the above, as the case of writ appellant is also similar to that of the batch cases referred above, this writ appeal has to be dismissed.

8. In the result, this writ appeal is dismissed confirming the order of the learned single Judge. No Costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021
Sub Assistant Registrar(CS)



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:
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Chennai - 600 006.

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