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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.06.2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

Writ Petition No.13811 of 2014
and
M.P.Nos.1 and 2 of 2014

C.K.Pappathy
W/o.Anathakumar

... Petitioner

Vs.

1. The Secretary to Government,
School Education Department,
Secretariat, Chennai - 600 009.
2. The Director,
Directorate of School Education,
DPI Campus,
College Road, Nungambakkam,
Chennai - 600 006.
3. The Chairman,
The Teacher's Recruitment Board,
EKV Sampath Maligai,
College Road, Nungambakkam,
Chennai - 600 006.
4. The Chief Education Officer,
Old Railway Station Road,
Erode - 02.
5. The Director,
Director of Distance Education,
Annamalai University,
Annamalai Nagar,
Chidambaram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the entire records on the file of the third respondent in C.V.No.E.6824 dated 06.05.2014 and quash the same and direct the third respondent to appoint the petitioner to the post of Assistant Graduate Teacher (English).



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For Petitioner : Mr.N.Chinnaraj

For Respondents : Mrs.S.Anitha,
Special Government Pleader [R1, R2 & R4]
Mr.C.Kathiravan,
Special Government Pleader [R3]
Mr.V.R.Kamalanathan [R5]

O R D E R

The certificate verification form dated 06.05.2014 issued by the third respondent Board is sought to be quashed in the present writ petition.

2. The petitioner submitted an application to participate in the process of selection for appointment to the post of BT Assistant and he participated in the process of selection. The petitioner secured 84 marks and called for certificate verification. During the verification of the original certificates, the authorities found that the petitioner acquired double degree B.A (English) through one year course and therefore, held that the petitioner is not eligible for appointment to the post of BT Assistant.

3. The petitioner herself admits that she acquired the double degree B.A (English) through one year course. The factum regarding qualification was admitted by the petitioner and the respondent has verified the validity of the certificate possessed by the petitioner with reference to UG and Government orders in force.

4. Learned Special Government Pleader appearing on behalf of the respondents made a submission that as per the Government order issued in G.O.(Ms) No.107, Personnel & Administrative Reforms (M) Department, dated 18.08.2009, those candidates who have acquired the qualification in the regular pattern of education i.e. 10+2+3 alone are eligible for appointment in public services. The petitioner has acquired B.A (English) degree awarded by Annamalai University, which is not in consonance with the Government Order and further in violation of the judgment of the Hon'ble Supreme Court of India in the case of Annamalai University v. Secretary to Government, Information and Tourism Department [2009 (4) SCC 590] confirming the judgment of the Division Bench of this Court in N.Ramesh v. Sibi Madan Gabriel [2008 (3) MLJ 255].

5. In view of the fact that the petitioner has not possessed the valid educational qualification, the rejection of her candidature is in accordance with the Government Orders and the recruitment notification in force and thus, there is no infirmity.



Accordingly, this writ petition is devoid of merits and stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

gm

To

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Director of Distance Education,
Annamalai University,
Annamalai Nagar,
Chidambaram.

+1cc to Mr.C.Kathiravan, Advocate SR. No. 35013

+1cc to Mr.V.R.Kamalanathan, Advocate SR. No. 36059

Writ Petition No.13811 of 2014

SKM (CO)

PR (29/06/2022)