



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 22964 of 2017
and
W.M.P. No. 24121 of 2017

Y.Keerthika

... Petitioner

-vs-

1. The Secretary to Government of
Tamil Nadu,
School Education Department,
Secretariat, Fort St. George,
Chennai - 600 009.

2. The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai - 600 006.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to consider the representation dated 17.08.2017 of the Petitioner for recruitment to the posts of PG Assistants Teacher (Physics) in terms of S. No. 8 of the Advertisement/Notification No. 03/2017 dated 09.05.2017 - in relevance to eligibility - of the Petitioner for 'Certificate Verification'.

For Petitioner : Mr. R.Tholgappian

For Respondents: Mr. P.Balathandayutham
Special Government Pleader (for R1)

Mr. C.Kathiravan (for R2)

O R D E R

Heard Mr. R.Tholgappian, Learned Counsel for the Petitioner, Mr. P.Balathandayutham, Learned Special Government Pleader appearing for the First Respondent and Mr. C.Kathiravan, Learned Counsel for the Second Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Second Respondent had called for applications for recruitment to the posts of Graduate Assistant for the year



2016-2017 in furtherance to the notification in advertisement No. 03/2017 dated 09.05.2017 and had on 02.07.2017 conducted the written test for the same. The Petitioner, who belongs to Backward Class category, had secured 78 marks, but he was not called for certificate verification and the last candidate called for certificate verification under the Backward Class category had secured 81 marks. The grievance ventilated by the Petitioner in this Writ Petition is that in clause 8(c) of the said Notification, weightage has been awarded for persons, who had been waiting in the employment exchange and who had teaching experience and if the said marks were added, he would fall within the cut-off mark for selection to the post. In that backdrop, the Writ Petition has been filed for directing the Respondents to consider the representation dated 17.08.2017 made by the Petitioner in terms of clause 8(c) of the said notification for appointment.

3. The Respondents have resisted the claim made by the Petitioner by highlighting that such weightage could be added only after certificate verification for the eligible short-listed candidates and the Petitioner, who had not come within the cut-off marks of 81 at that stage, would not be eligible for such benefit.

4. In this context, reference must be made to Clause 8(c) of the notification in advertisement no. 03/2017 dated 09.05.2017 issued by the Second Respondent, which reads as follows:-

“(c) Awarding Weightage Marks:

Weightage marks as detailed below will be awarded after Certificate Verification for the eligible short-listed candidates.

		Number of Years	Mark s
(i)	Period of wait after registration in the Professional & Executive Employment Office, Chennai - 600 004	Less than 1 year	0
		1 to 3 years	1
		3 to 5 years	2
		5 to 10 years	3
		Above 10 years	4
(ii)	Experience of teaching in their PG Degree Major Subject for Hr. Sec. Classes in a recognised School	1 to 2 years	1
		2 to 5 years	2
		Above 6 years	3

The plain words of the said clause provides that weightage marks had to be awarded after certificate verification of



those candidates who fall within the cut-off marks for the post. In that view of the matter, the claim of the Petitioner that weightage should have been awarded at an earlier stage before certificate verification based on the marks secured in the written test by the concerned candidates, cannot be countenanced.

In the result, the Writ Petition is dismissed. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gd

To

1. The Secretary to Government of
Tamil Nadu,
School Education Department,
Secretariat,
Fort St. George,
Chennai - 600 009.
2. The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai - 600 006.

+1cc to Mr. C.Kathiravan, Advocate, S.R.No.34458
+1cc to Mr. R.Tholgappian, Advocate, S.R.No.34098
+1cc to the Government Pleader, S.R.No.34515

W.P. No. 22964 of 2017

PL(CO)
CT/17/06/2022