



W.P(MD)No.2393 of 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **18.08.2022**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.2393 of 2013

and

M.P(MD)No.2 of 2013

S.Durga Devi

... Petitioner

Vs.

1.The Tamil Nadu Teacher's University
Represented by its Registrar,
Lady Willington College Campus,
Kamarajar Salai,
Chennai-600 005.

2.The Principal,
Paniel Rural College of Education,
Vemparali,
Natham Taluk-624 405,
Dindigul District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned orders in No. TNTEU/R/EC/10611/2012/2538 dated 17.12.2012 and the consequent communication in No.TNTEU/R/EC/10611/2013/171 dated 29.01.2013 on the file of the Respondent No.1 and quash both as illegal and



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consequently to direct the Respondent No.2 to allow the petitioner to continue and complete the B.Ed Course and appear in the final examination conducted by the Respondent No.1.

For Petitioner : Mr.T.Lajapathi Roy

For R1 : Mr.F.Deepak

For R2 : Mr.G.Sridharan

ORDER

The present writ petition has been filed challenging an order passed by the first respondent herein and a consequential order passed by the second respondent herein, under which the petitioner was found to be ineligible to continue the B.Ed., Course.

2. According to the petitioner, she has completed B.A(English) in April 2012 in Madurai Kamaraj University and she was eligible to join B.Ed., Course conducted by the first respondent/University. She paid the requisite fee to the second respondent Institute and she got admitted on 27.06.2012. However, under the impugned order passed by the first respondent herein, she was found to be disqualified on the ground she has not secured 40% marks in the Under Graduate course. A



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consequential order was passed by the second respondent Institute, discontinuing her studies. Both these orders are under challenge in the writ petition.

3. The learned counsel for the petitioner pointed out that as per G.O.Ms.No.115 Higher Education Department, dated 28.06.2012, a candidate belonging to Scheduled Caste has to secure 40% of the marks in Under Graduate degree so as to get admitted in B.Ed., course. He further pointed out that the said 40% should be calculated taking into account the marks obtained in part III and IV of the subjects in the Under Graduate degree. When the marks obtained in part III and IV are taken together, the petitioner had secured 42.7% and hence, the order passed by the first respondent herein, declaring the petitioner to be ineligible and the consequential order passed by the second respondent herein are not legally sustainable.

4. The learned counsel for the first respondent herein, on instructions, submits that when the marks secured by the writ petitioner in part III and IV of the statement of marks in Under Graduate degree is taking into account, the petitioner has secured 42.7%. Hence, she is



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eligible to be admitted to B.Ed., Course. In view of the interim order passed by this Court, the petitioner has already completed the said course. The results have not been declared and the degree has not been granted to the writ petitioner.

5. In view of the written instructions from the first respondent/University, the petitioner having been qualified to get admitted to B.Ed course and she has also passed the B.Ed., course, the petitioner is entitled to get B.Ed., degree.

6. In view of the above said facts, this Writ Petition stands allowed and the first respondent is directed to issue B.Ed., degree to the writ petitioner within a period of twelve (12) weeks from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

18.08.2022

Index : Yes / No
Internet : Yes / No

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To

The Registrar,
The Tamil Nadu Teacher's University
Lady Willington College Campus,
Kamarajar Salai,
Chennai-600 005.



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R.VIJAYAKUMAR ,J.

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Order made in
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