



W.P.(MD)No.1545 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.1545 of 2020

and

W.M.P.(MD)Nos.1257, 1259, 1260 and 1262 of 2020

K.Chitra

... Petitioner

Vs.

1.The State of Tamil Nadu

Rep. by, the Principal Secretary to the Government,
School Education Department,
Fort St.George,
Chennai.

2.The Director of School Education,

The Directorate of School Education,
DPI Campus,
Chennai.

3.The Chairman

Teachers Recruitment Board,
DPI Campus,
Chennai.

4.B.Kavitha

... Respondents



W.P.(MD)No.1545 of 2020

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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records connected with the Impugned Provisional Selection List, dated 02.01.2020 released by the Respondent No.3 for the post of Graduate Assistant/ Physical Education Director Grade-I 2018-2019, and quash the same as illegal, consequently direct the respondents 1 to 3 to issue fresh selection list and appoint the petitioner to the post of Graduate Assistant for Tamil Subject, in accordance with law.

For Petitioner : Mr. R.Alagumani

For Respondents : Mr. J.Ashok - for R1 & R2
Additional Government Pleader

: Mr.V.R.Shanmuganathan - for R3
Standing Counsel

: No Appearance - for R4

ORDER

This writ petition has been filed to quash the Impugned Provisional Selection List, dated 02.01.2020 released by the Respondent



W.P.(MD)No.1545 of 2020

WEB COPY

No.3 for the post of Graduate Assistant / Physical Education Director Grade-I 2018-2019, and consequently direct the respondents 1 to 3 to issue fresh selection list and appoint the petitioner to the post of Graduate Assistant for Tamil Subject, in accordance with law.

2. The learned counsel appearing for the petitioner submitted that the petitioner had participated in the selection process for the post of Graduate Assistant / Physical Education Director Grade - I for the year 2018-2019. The examination was conducted by on-line, the petitioner participated in the examination process for the post of Post Graduate Assistant-Tamil Teacher. After examination, the Teachers Recruitment Board released the tentative mark list for all the candidates, who attended the examination. As per tentative mark list, the petitioner scored 97 marks. The final result published on 25.10.2019 and as per the final result, the petitioner scored 95 marks and she was placed on the 226th place and called for certificate verification. On 09.11.2019, the certificate verification took place and the petitioner attended the said certificate verification and awaiting for appointment order. However, the third respondent released the



W.P.(MD)No.1545 of 2020

WEB COPY

final provisional selection list on 03.01.2020, in which, the petitioner's name was not found. Challenging the said selection process, the present writ petition is filed.

3. The learned counsel for the petitioner submitted that admittedly the Teachers Recruitment Board released the tentative mark list, in which, the petitioner had secured 97 marks. However, after evaluation, they released the final result on 25.10.2019 and as per the final result, the petitioner scored 95 marks. Though the petitioner participated in the certificate verification, however, she was not selected, without any valuable reason and hence, the entire selection process conducted by Teachers Recruitment Board is not sustainable one and the impugned final provisional selection list issued on 03.01.2020 is liable to be interfered with. Accordingly, he prayed for allowing the writ petition.

4. Per contra, the learned Standing Counsel appearing for the third respondent, on instructions, would submit that the petitioner had participated in the selection process to the post of BC Women category. The



W.P.(MD)No.1545 of 2020

WEB COPY

highest cut-off mark is 99 and the lowest cut-off mark is 97. The last selected candidate is one Rajalakshmi and she secured 97 marks in BC Women category. Since the petitioner is not possessed the requisite cut-off marks, her candidature was not selected for appointment. Hence, he prayed for dismissal of the writ petition.

5. Heard, Mr.R.Alagumani, learned counsel appearing for the petitioner, Mr.J.Ashok, learned Additional Government Pleader appearing for the respondents 1 and 2 and Mr.V.R.Shanmuganathan, learned Standing Counsel appearing for the third respondent.

6. The facts in present case are not in dispute. Admittedly, the petitioner had participated in the selection process for the post of Post Graduate Assistants -Tamil and however, she claimed that she secured only 97 marks in the tentative mark list, however, the final result was published and she secured 95 marks and thereafter, the final provisional selection list was published, in which, the petitioner's name is not included on the ground that the petitioner had not secured the cut-off marks, whereas, the



W.P.(MD)No.1545 of 2020

respondents claimed that the highest cut- off mark is 99 and the minimum eligible cut off mark is 97. Since the petitioner failed to secure the eligible cut-off marks, she secured only 95 marks, the prayer sought for by the petitioner in the writ petition cannot be granted and hence, the same is liable to be dismissed.

7. Accordingly, this writ petition is dismissed. No costs. consequently, connected miscellaneous petitions are closed.

21.12.2022

Index : Yes / No

Speaking Order : Yes / No

RM



W.P.(MD)No.1545 of 2020

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W.P.(MD)No.1545 of 2020

M.DHANDAPANI,J.

RM

W.P.(MD)No.1545 of 2020

21.12.2022