



WEB COPY

W.P(MD) No.12180 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 12.01.2022

Pronounced on : 15.02.2022

CORAM:

THE HONOURABLE MRS.JUSTICE S. SRIMATHY

W.P(MD) No.12180 of 2014 and

M.P(MD) .Nos.1 and 2 of 2014

P. Mahesh Raja

:Petitioner

..VS..

1.The Secretary to Government,
School Education Department,
St. Fort. George, Chennai - 9.

2.The Chairman,
Teachers Recruitment Board,
Chennai - 6.

3.The Madurai Kamaraj University,
rep. by its Registrar,
Madurai.

(R3 impleaded as per order dated 28.08.2014)

4.The Director of School Education,
Chennai.

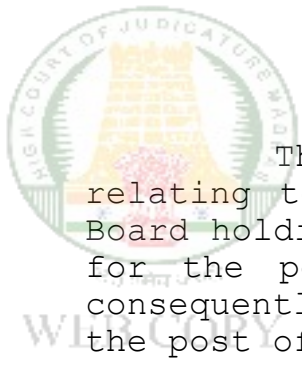
: Respondents

(Suo motu impleaded)

(R4 is Suo Motu impleaded vide Court Order
Dated 15.02.2022)

PRAYER: Writ Petition filed under Article 226 of the Constitution of to issue a Writ of Certiorarified Mandamus to call for the records relating to the order dated Nil issued by Teacher Recruitment Board holding the Writ Petitioner (Reg.No.13 TE 18200059) ineligible for the post of B.T. Assistant (Tamil) and quash the same and consequently, direct the respondents to appoint the petitioner to the post of B.T. Assistant (Tamil) with all consequential benefits.

For Petitioner	: Mr. T. Antony Arul Raj
For 1 st respondent	: Mr. J.K. Jayaselan Government Advocate (Civil Side)
For 2 nd respondent	: Mr.A.L. Kannan for Mr.V.R. Shanmuganahan
For 3 rd respondent	: Mr. T. Sakthikumaran



O R D E R

This Writ Petition has been filed to call for the records relating to the order dated Nil issued by the Teacher Recruitment Board holding the Writ Petitioner (Reg.No.13 TE 18200059) ineligible for the post of B.T. Assistant (Tamil) and quash the same and consequently, direct the respondents to appoint the petitioner to the post of B.T. Assistant (Tamil) with all consequential benefits.

2. The petitioner was admitted in Government Teachers Training Institution, Samugarengapuram, Tirunelveli District in the year 2008 and has completed D.T.Ed., on 17.06.2010 and the result was published on 31.10.2010. In the meanwhile, based on 12th qualification, the petitioner applied for B.Lit., (Tamil) in Madurai Kamaraj University on 25.06.2010. The academic year for B.Lit., was commenced in the month of January 2010. But, the petitioner's admission was in the month of June 2010 and the petitioner cleared B.Lit., in the year 2012. The petitioner cleared Teachers Eligibility Test on 18.08.2013. The petitioner attended the certificate verification conducted by the Teachers Recruitment Board but the petitioner's name was not found in the list published on 14.07.2014. The Teachers Recruitment Board has rejected the petitioner's candidature since the D.T.Ed., second year and the first year of B.Lit., Degree was completed in the same year and there is overlapping of education qualification. Therefore, the petitioner's name was declared as in eligible. The petitioner approached the authorities on 21.07.2014 and submitted an explanation stating the D.T.Ed., second year was completed and the first year degree was started from June 2010 and therefore, there is no overlapping. In spite of such explanation the petitioner's name was not considered. Aggrieved over the present Writ Petition is filed.

3. The respondents have not filed any counter.

4. This Court vide order dated 28.08.2014 in M.P.No.3 of 2014 has impleaded the Madurai Kamaraj University as respondent No.3. The third respondent is represented by the learned counsel Mr. T. Sakthikumaran and has circulated a communication from Madurai Kamaraj University, dated 12.11.2021 stating that as per Madurai Kamaraj University (DDE) Admission portal the petitioner has made his admission on 25.06.2010, so his admission is considered as Calendar year admission and the course of study begins from 1st January 2010 onwards. Hence, the duration of course for the candidate Mr. Mahesh Raja. P was January 2010 to December 2012.

5. Heard the learned counsel for the petitioner and Mr. J.K. Jeyaseelan, learned Government Advocate (Civil Side) appearing for first respondent and Mr.A.L.Kannan for Mr.V.R.Shanmuganathan, the learned counsel for the second respondent and Mr. T.Sakthikumaran learned counsel for 3rd respondent.



6. The petitioner completed Diploma in Teachers Education from 2008 to 2010. The petitioner has completed D.Ted., on 17.06.2010. The petitioner studied B.Lit., first year from 10th July 2010 to August 2010 and second year from 15th February 2011 to 18th March 2011. The third year from 15th February 2012 to 17th March 2012. The Madurai Kamaraj University has circulated a letter stating the petitioner has made admission on 25.06.2010. However, the Madurai Kamaraj University has taken the calendar year for admission is 1st January 2010 to December 2012. It is not known why the Madurai Kamaraj University has taken as calendar year as January 2010 when the admission started on 25.06.2010. Because of confusion created by the Madurai Kamaraj University the entire issue arose. The Madurai Kamaraj University ought to have taken the academic year from the date of admission and not from calendar year. If it is taken admission on 25.06.2010 then there is no overlapping of D.T.Ed., and B.Lit., at all.

7. Therefore, this Court is of the considered opinion that there is no overlapping of degree at all. Because of the blunder mistake of the Madurai Kamaraj University, the petitioner has suffered from getting admission in the post of B.T., Assistant (Tamil). Therefore, this Court is directing the Director of School Education, Chennai to appoint the petitioner in any one of the vacancy available in Madurai District. However, the Director of School Education is not a party in this petition, hence this Court suo motu impleaded the School Education Department as one of the party respondents No.4.

8. Before concluding this Writ Petition this Court hopes the Madurai Kamaraj University changes its system and issue proper certificates to the persons who are studied in that university. The Madurai Kamaraj University cannot play with the academic of any individual.

9. With this observation, this Writ Petition is allowed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (T&P)

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/ /2022

Sub Assistant Registrar(CS)

trp



To

1.The Secretary to Government,
School Education Department,
St. Fort. George,
Chennai - 9.

2.The Chairman,
Teachers Recruitment Board,
Chennai - 6.

3.The Registrar,
The Madurai Kamaraj University,
Madurai.

4.The Director of School Education,
Chennai.

+2 CC to M/s.T.SAKTHI KUMARAN, Advocate (SR-1786 & 6333[F]

+1 CC to M/s.T.ANTONY ARUL RAJ, Advocate (SR-6712[F] dated
17/02/2022)

+1 CC to M/s.SPL GP (SR-6467[F] dated 16/02/2022)

Order made in
W.P(MD) No.12180 of 2014 and
M.P(MD) .Nos.1 and 2 of 2014
15.02.2022

nsn(CO)
GC(07.03.2022) 4P 9C