



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2022

CORAM

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

W.P(MD)No.14680 of 2014

and

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

WEB COPY

S.Jothi

... Petitioner

Vs

1.The Chairman,
Teachers Recruitment Board,
E.V.K. Sampath Maligai, 4th Floor,
DPI Campus, College Road,
Chennai - 600 006.

2.The Controller of Examination,
Madurai Kamaraj University,
Madurai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the entire files pertaining to the impugned certificate dated 05.03.2014 issued by the second respondent and impugned weightage mark statement dated nil issued by the first respondent and quash the same and consequently direct the first respondent to consider the petitioner for the post of BT Assistant (Mathematics) with priority for medium of instruction in Tamil.

For Petitioner : Mr.B.S.Meltiue

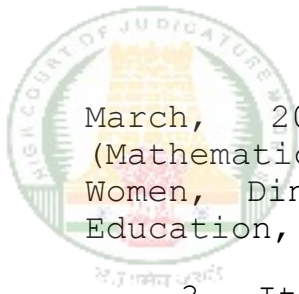
For R - 1 : Mr.VR.Shanmuganathan

For R - 2 : Mr.P.Muthuvel
for M/s.Isaac Chambers

ORDER

This Writ Petition is filed for issuance of a Writ of Certiorarified Mandamus, to call for the entire files pertaining to the impugned certificate dated 05.03.2014 issued by the second respondent and impugned weightage mark statement issued by the first respondent and quash the same and consequently direct the first respondent to consider the petitioner for the post of BT Assistant (Mathematics) with priority for medium of instruction in Tamil.

2. Learned counsel appearing for the petitioner submitted that the petitioner completed her Higher Secondary School Education in
<https://hcservices.ecourts.gov.in/hcservices/>



March, 2001 at Pallapatti Higher Secondary School, B.Sc (Mathematics) in April, 2005 at M.V.M Government Arts College for Women, Dindigul and B.Ed in April, 2008 from AASEE College of Education, Thirumalaiyur, Karur District.

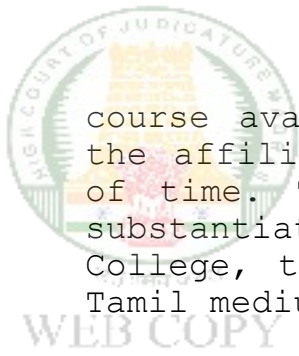
3. It is the specific case of the petitioner is that the petitioner studied the courses as medium of instruction in Tamil. When the first respondent invited applications for the post of B.T Assistants through the Website, petitioner applied for the post of B.T Assistant (Mathematics). The first respondent published the list of candidates selected for B.T Assistant (Mathematics) and the cut-off marks for SCA Community (Tamil Medium) was 60.97. Though the petitioner scored 62.11 marks in SCA Community in Tamil Medium category, her name did not find a place in the list of selected candidates. Therefore, this present petition.

4. The learned counsel appearing for the respondents submitted that to get the benefit under the quota for the persons studied in Tamil Medium, the concerned persons should have studied the entire education starting from School Education, Higher Secondary Education and then College Education, prescribed as minimum qualification for a particular post, in Tamil Medium. Only if this condition is satisfied, a person can seek appointment under SCA Community (Tamil Medium category). It is further stated that the petitioner studied B.Sc (Mathematics) in English medium. Therefore, the petitioner is not entitled for the selection under the category SCA Community (Tamil Medium).

5. Considered the rival submissions and perused the records.

6. Perusal of the records would show that the petitioner belonged to SCA Community. She studied 10th Standard in Pallapatti Higher Secondary School and completed +2 in the same School. The statement of marks issued by Madurai Kamaraj University to the petitioner shows that all the papers are shown in English. She passed B.Sc (Mathematics) in second class. She produced the certificate issued by the College Principal to show that she studied B.Sc (Mathematics) in Tamil medium. The certificate dated 14.03.2014 issued by Bharathidasan University would show that she studied a B.Ed Degree course in AASEE College of Education in Tamil medium. The basic qualification for the post of B.T Assistant is B.Sc., B.Ed. Therefore, it is primarily the duty and responsibility of the petitioner to show that she studied B.Sc (Mathematics) in Tamil medium. Though a certificate issued by the College Principal is produced to show that she studied B.Sc (Mathematics) in Tamil medium, the copy of the mark sheet produced by the learned counsel appearing for the second respondent would show that the petitioner studied B.Sc (Mathematics) only in English medium.

7. It is also the submission of the learned counsel for the second respondent that there is no B.Sc (Mathematics)



course available with a medium of instruction in Tamil in any of the affiliated College of the University during the relevant point of time. The learned counsel for the petitioner is not able to substantiate, apart from the production of certificate issued by the College, to show that the petitioner studied B.Sc (Mathematics) in Tamil medium.

8. In such circumstances, taking note of the submission of the learned counsel for the respondents, especially the second respondent, that there is no B.Sc (Mathematics) course available with a medium of instruction in Tamil in any of the affiliated College of the University during the relevant point of time, this Court has necessarily come to the conclusion that the petitioner had studied B.Sc (Mathematics) only in English medium and thus, she is not entitled to claim the appointment under the SCA Community (Tamil medium). Therefore, this Court finds that this Petition has no merits and is liable to be dismissed. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)

ps

Note:-In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1.The Chairman,
Teachers Recruitment Board,
E.V.K. Sampath Maligai, 4th Floor,
DPI Campus,
College Road,
Chennai - 600 006.

2.The Controller of Examination,
Madurai Kamaraj University,
Madurai.

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-25535[F] dated 14/06/2022)

+1 CC to M/s.SPL.GP (SR-25790[F] dated 15/06/2022)

W.P(MD)No.14680 of 2014
13.06.2022

IM(CO)

SS(22.06.2022) 3P 5C