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W.P.No.17617 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.17617 of 2012 and
MP.Nos.1 & 2 of 2012

C.Viswanath

... Petitioner

Vs.

1.The Government of Tamilnadu,
Rep. by its Secretary,
School Education Department,
Fort St.George,
Chennai 600 009

2.Director of School Education,
College Road,
Chennai 600 006

3.District Elementary Educational Officer,
Kanchipuram District

4.Assistant Elementary Educational Officer(AEEO),
Kanchipuram District

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petitioner for promotion as BT Assistant – English (additional degree) based on the panel dated 01.01.2012 of the fourth respondent, by following the proceedings of the second respondent dated 18.12.2008.

For Petitioner : Mr.R.Saravanakumar



W.P.No.17617 of 2012

WEB COPY

For Respondents : Mr.T.M.Rajangam,
Government Advocate

ORDER

This writ petition has been filed for direction to the respondents to consider the petitioner for promotion as BT Assistant – English (additional degree) based on the panel dated 01.01.2012 of the fourth respondent, by following the proceedings of the second respondent dated 18.12.2008.

2. The petitioner was appointed as Secondary Grade Teacher. At the time of appointment, he had passed higher secondary. Thereafter, he studied B.Lit and completed the same in May 2005. Further, he completed B.Ed in April 2010. It is seen that the petitioner is possessing double degree through one sitting course. Such a degree obtained by him is not a valid degree for the purpose of granting promotion to the post of BT Assistant. Double degree obtained by one sitting cannot be a valid qualification for the purpose of appointing the teaching faculty in schools. This court repeatedly held that teaching faculties are to be filled only



W.P.No.17617 of 2012

WEB COPY

through the candidates, who studied the degree or postgraduate etc., in a regular scheme by attending the regular classes in colleges. Therefore, the person who studied in regular courses in accordance with the UGC regulation pattern as well as in a regular college, alone are to be considered for appointment in teaching faculty. Therefore, the petitioner is not entitled for promotion to the post of BT assistant. As such, the writ petition is devoid of merits and liable to be dismissed.

3. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

29.08.2023

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
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W.P.No.17617 of 2012

G.K.ILANTHIRAIYAN, J.

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To

1. Secretary,
The Government of Tamilnadu,
School Education Department,
Fort St.George,
Chennai 600 009
2. Director of School Education,
College Road,
Chennai 600 006
3. District Elementary Educational Officer,
Kanchipuram District
4. Assistant Elementary Educational Officer(AEEO),
Kanchipuram District
5. The Government Advocate,
High Court, Madras.

W.P.No.17617 of 2012

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