



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 17.11.2023

CORAM

THE HONOURABLE MR.JUSTICE V.BHAVANI SUBBAROYAN

WP No.18194 of 2017
and WMP Nos.19786 and 19787 of 2017

K.Mani

..Petitioner

Vs.

1. The Director,
School Education Department,
DPI Campus, College Road,
Nungambakkam, Chennai 600 006.

2. The Teachers Recruitment Board.
Rep. by its Member Secretary,
DPI Campus, College Road,
Nungambakkam, Chennai 600 006

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for a writ of Certiorari to call for the records of the impugned letter issued through website by the 2nd respondent of non-selection of petitioner for the post of Graduate teacher (Social Science – Geography) dated 30.06.2017 and for a consequential direction to the respondents to appoint the petitioner as Graduate Teacher (Social Science – Geography) forthwith.



For Petitioner : Mr.M.R.Jothimanian
For Respondent : Mr.L.S.M.Hasan Fizal
Additional Government Pleader
MR.R.Neelakandan
Assisted by Mr.R.Siddarth
Government Advocate for TRB

ORDER

This writ petition has been filed challenging the impugned letter issued through website by the 2nd respondent of non-selection of petitioner for the post of Graduate teacher (Social Science – Geography) dated 30.06.2017 and for a consequential direction to the respondents to appoint the petitioner as Graduate Teacher (Social Science – Geography) forthwith.

2. The case of the petitioner is that he had completed B.A., B.Ed English and B.Sc Geography under the 10+2 + 3 pattern and he belongs to Most Backward Class (MBC Community). At the time when the petitioner had applied for TET examination, he was pursuing final year B.Ed. As per Notification clause 3(b) provides that candidates who appear for the final year examination of B.Ed during the current



academic year 2012 – 2013, were also permitted to appear for the TET.

Therefore, the petitioner had applied and passed in the TET examination.

While so, the petitioner did not clear the B.Ed Degree during the current academic year 2012-2013 and thereafter, he passed the B.Ed during December 2014 i.e academic year 2013-2014. Hence, he could not be considered for the appointment as graduate Teacher in the year 2013.

While so, a notification was issued by the 2nd respondent to appoint the Graduate Teachers based on the revised merit list for the year 2015-2016 and also in the ratio of 1:1, in which, the petitioner was selected and called for certificate verification. Though, the petitioner had produced all the records, his candidature was rejected on the ground that he was ineligible at the time of TET. Challenging the said letter, the present writ petition has been filed before this Court.

2. The learned counsel for the petitioner submitted that the petitioner is a meritorious candidate and fully eligible to be appointed as Graduate Teacher (Social Science) but the same was deprived by the 2nd respondent without any valid reasons.



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3. The learned counsel appearing for the 2nd respondent filed a counter affidavit and submitted that the petitioner has not completed the course in the academic year 2012 to 2013 itself as instructed in the Notification and therefore, his candidature was rejected during 2012-2013. The learned counsel further submitted that the petitioner possessed the B.Ed degree in December 2014 but no correction can be effected in the subjects of UG Course and therefore, it is established that the Educational qualification possessed at the time of passing TET 2013 only can be considered as the Minimum Educational Qualification for TET Paper II as published in para3(1), (b) & © of TRB Notification No.03/2023 dated 22.05.2013.

4. Heard Mr.M.R.Jothimanian, learned counsel for the petitioner and Mr.L.S.M.Hasan Fizal, learned Additional Government Pleader for 1st respondent and Mr.R.Neelakandan, Assisted by Mr.R.Siddarth, learned Government Advocate for TRB/ 2nd respondent.



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5. It is an Admitted fact that the petitioner did not complete the B.Ed degree during the academic year 2012- 2013 and therefore, his candidature was not considered. Since the petitioner had passed in the TET examination in the year 2013 and possessed B.Ed degree in the year 2014, he is eligible to be appointed for the post of Graduate teacher in the subsequent academic year 2015-2016, if any backlog vacancy is available and therefore, the respondents are directed to consider the case of the petitioner, if he is otherwise entitled to and pass appropriate orders, within a period of eight week from the date of receipt of a copy of this order.

6. This writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petitions are closed.

17.11.2023

Index:Yes/No
Internet :Yes /No
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V.BHAVANI SUBBAROYAN.,J



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To

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