



W.P(MD)No.3054 of 2021

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3054 of 2021

and

W.M.P(MD)Nos.2438, 2439 & 2441 of 2021

A.Senthil Kumaran

... Petitioner

Vs

- 1.The State represented by
The Secretary to Government,
School Education Department,
Secretariat, Chennai.
- 2.The Secretary,
Tamil Nadu Public Service Commission,
VOC Nagar,
Park Town, Chennai – 600 003.
- 3.The Director of School Education,
O/o. Director of School Education,
DPI Campus,
Nungambakkam, Chennai.
- 4.The Controller of the Examination,
Tamil Nadu Public Service Commission,
VOC Nagar,
Park Town,
Chennai – 600 003.



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5.R.Prince Arockia Raj
6.S.P.Karthikeyan
7.R.Soundarrajan
8.A.Punitha Anthoniyammal
9.T.Thirunavukkarasu
10.G.Sadasivan
11.K.Gunasekaran

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impunged list of register Number of candidates selected provisionally for appointment by direct recruitment to the posts District Educational Officer in School Education Department in the Tamil Nadu School Educational Service, 2014-2015, 2015-2016 and 2016-2017 passed by the second respondent in his proceedings Nil dated 16.12.2020 and quash the same as illegal insofar as it relates to non inclusion of the register number of the petitioner is concerned and consequentially to direct the respondent to select the petitioner as District Educational Officer taking into the consideration of the marks and experience of the petitioner within the period that may be stipulated by this Court.

For Petitioner : Mr.Ajmal Khan
Senior Counsel
for M/s.Ajmal Associates

For Respondents : Mr.N.Satheesh Kumar
Additional Government Pleader
for R.1 & R.3

Mr.J.Anandkumar
Standing Counsel for R.2 & R.4



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ORDER

Heard the learned Senior Counsel appearing for the writ petitioner, the learned Additional Government Pleader appearing for the respondents 1 and 3 and the learned Standing Counsel appearing for TNPSC.

2.The only question that calls for consideration is whether the petitioner was rightly not permitted to take part in the recruitment process for the post of District Educational Officer in the year 2018. Notification issued by TNPSC stipulated that the candidate must have teaching experience in a recognized School for a total period of not less than 12 years after acquiring the qualification (B.T or B.Ed. Degree of any recognized university in the State or a degree of equivalent standard).

3.The petitioner obtained B.Ed degree in the year 2008. He did not possess 14 years of teaching experience after acquiring B.Ed degree. The stand of the petitioner is that he was having B.Lit (Tamil) and D.T.Ed in the year 2004 itself. Since they should be considered as equivalent to B.T, the authority erred in not allowing the petitioner to take part in the recruitment process.



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4.The learned Senior Counsel was at pains to demonstrate that a person possessing B.Lit(Tamil) with D.T.Ed should be considered as possessing B.T. He relied on quite a few recruitment notifications in this regard. But reliance on such notifications will not advance the case of the writ petitioner. The only question before me is whether B.T Degree should be considered as equivalent to B.Lit(Tamil) + D.T.Ed. Such an equivalence can be given only by the Government. The writ Court cannot inferentially conclude that they are equivalent. Since the petitioner has not produced any equivalent certificate, I sustain the stand of the authorities. In any event, we are now in 2023. Even going by the stand of the authorities, the petitioner has acquired 4 years teaching experience in the year 2022. He is definitely entitled to take part in any future recruitment process for the post of District Educational Officer.

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

16.06.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA



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