



Rev.Appl.(MD).No.75 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated 01.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS. JUSTICE L.VICTORIA GOWRI

Rev.Appl.(MD).No.75 of 2023
in
WA.(MD) No.549 of 2023

The Chairman,
Teachers Recruitment Board,
3rd Floor, Puratchi Thalaivar Dr. MGR Centenary Building,
DPI Complex, College Road, Chennai.

.. Applicant

Versus

1. Alagulakshmi
2. The Principal Secretary to Government,
Department of Higher Education,
State of Tamil Nadu,
Fort St. George, Chennai 600009.
3. The Director of Technical Education,
Directorate of Technical Education,
Guindy, Chennai 600 025.

.. Respondents



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PRAYER: Review Application is filed under Section 47 Rule 1 and 2 of CPC read with Section 114 of Civil Procedure Code to review the order passed by this Court in W.A.(MD) No.549 of 2023, dated 06.06.2023.

For Applicant : Mr.R.Neelakandan,
Additional Advocate General,
assisted by Mr.VR.Shanmuganathan

For Respondents
for R1 : Mr.S.Sivaprakash
for RR2 & 3 : Mr.Senthil Ayyanar, G.A.

ORDER

(The Order of the Court was made by R.SUBRAMANIAN, J)

Review is sought of the order dated 06.06.2023 on the ground that the petitioner in the Writ Petition even in her application failed to state that she has no teaching experience and therefore, the window for uploading the experience certificate was not available to her.

2. Mr.R.Neelakandan, learned Additional Advocate General appearing for the review petitioner would submit that though notification is



so worded that it confines 2 years teaching experience on full time basis in the Government / Aided / Self-financing **Polytechnics** or **Engineering Colleges** or 4 years teaching experience on part time basis in the Government / Aided / Self-financing **Polytechnics** or **Engineering Colleges**, clause 12(d) refers to Annexure 3, which is the format of experience certificate and the said annexure 3 makes the provision for issuance of experience certificate for experience in Government / Aided / Self-financing Arts and Science Colleges and Universities. Therefore, according to the learned Additional Advocate General, the error was on the part of the first respondent in saying "No" to the requirement of experience found in the application.

3. Contending contra, Mr.S.Sivaprakash, learned counsel appearing for the first respondent/writ petitioner would submit that a reading of the notification found at page 55 of the paper book would show that the teaching experience is confined only to Polytechnics or Engineering Colleges and it does not extend to Aided Colleges. The Format itself cannot be the basis for denying an opportunity to the writ petitioner.



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4. The learned counsel also pointed out that by the subsequent publication dated 11.03.2022, the TRB has made it clear that experience certificate for work experience in Government / Aided / Self-financing Arts and Science Colleges should be obtained from the Regional Joint Director of Collegiate Education. After the publication, the first respondent has sought for a window to upload her certificate, but she was unable to upload the same. The learned Single Judge had allowed the Writ Petition permitting her to produce certificate at the time of certificate verification. We upheld this order.

5. No doubt, there is some force in the contention of the learned Additional Advocate General. However, once it is shown that the main notification is little misleading, prima-facie, it appears to confine her experience only to Polytechnics or Engineering Colleges. The fact that the Annexure of the format in which certificate is to be issued, includes Arts and Science Colleges also, which will not cure the defect.



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pvs

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