



W.A.(MD)No.1055 of 2014

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.07.2023**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**
AND
THE HONOURABLE **MR.JUSTICE R.VIJAYAKUMAR**

W.A.(MD)No.1055 of 2014

and

M.P.(MD)No.1 of 2014

G.Subramanian

...Appellant

/Vs./

- 1.The Teacher's Recruitment Board,
Rep.by its Chairman,
D.P.T.Compound, College Road,
Chennai-600 006.
- 2.The Regional Director of Collegiate Education,
Tirunelveli Region, Tirunelveli.
- 3.Chattanatha Karayalar College of Arts and Science,
Now renamed as Sriram Nallamani Yadhava Arts College,
Rep.by its Secretary,
Tenkasi,
Tirunelveli District.
- 4.The Principal,
Chattanatha Karayalar College of Arts and Science,
Now renamed as Sriram Nallamani Yadhava Arts College,
Tenkasi, rep.by its Secretary,
Tirunelveli District.

...Respondents



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PRAYER:- Writ Appeal - filed under Clause 15 of Letters Patent Act, to set aside the order dated 07.07.2014 made in W.P.(MD)No.4012 of 2010 on the file of this Court.

For Appellant	: Mr.P.Vinoth for Mr.R.Subramanian
For R2	: Mr.Om Prakash Government Advocate
For R1	: Mr.R.Shanmuganathan Standing Counsel
For R3 & R4	: No Appearance

JUDGMENT

(Judgment of the Court was delivered by **DR.ANITA SUMANTH , J.**)

Having heard the rival contentions advanced by the parties, we see no reason to intervene in the order passed in the writ petition on 07.07.2014.

2.The challenge was to proceedings dated 01.02.2010 rejecting the candidature of the petitioner for the post of Lecturer in Chemistry. One of the prerequisites for the appointment was a certificate relating to



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his teaching experience. The appellant was unable to produce such certificate and had approached this Court along with other similarly placed persons in a batch of writ petitions. That batch was ordered on 02.11.2007, by a learned Single Judge of this Court issuing direction to the college authorities to issue permanent service certificates.

3.The petitioner states that he approached the college, thereafter, but, they still declined to issue the certificate constraining the petitioner to file a contempt petition. It was only thereafter, that the Principal of Chattanatha Karayalar College of Arts and Science issued a certificate to the effect that the petitioner had worked as a Lecturer in the department of Bio-chemistry from 18.10.1994 to 11.04.2002, which was countersigned by the Joint Director of Collegiate Education on 13.07.2007.

4.That certificate did not find acceptance from the Teachers Recruitment Board (TRB) and the petitioner thus filed yet another writ petition in W.P.(MD)No.5033 of 2009, in which direction was issued to TRB to consider the above certificate and award weightage marks for his



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teaching experience. In consequential proceedings, TRB, on 01.02.2010, declined to give marks on the ground that the subject taught by the petitioner, as per the certificate was not Chemistry but Bio-Chemistry. It is hence, that the present writ petition came to be filed seeking to quash order dated 01.02.2010.

5.The writ petition had come to be dismissed on the ground that the certificate in question, issued on 13.07.2009, came to be challenged only in the year 2012 by way of writ petition. The petitioner was found to be negligent in availing remedial action.

6.That apart, this Court also found it impossible and improbable to issue direction to the Joint Director to consider the request of the petitioner as, owing to the elapse of time, the official respondents had confirmed the position that records were not available. There had also been a change in management in the meanwhile the college is now called Sriram Nallamani Yadhava Arts College.



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7.Thus in the light of the above position, the learned Single Judge declined to grant relief to the writ petitioner. There is no change in the position as on date and thus, we agree with the learned Single Judge in his reasoning and conclusion. This Writ Appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

**[A.S.M.J.] & [R.V.J.,]
07.07.2023**

NCC :Yes/No
Index :Yes/No
Internet :Yes
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To

- 1.The Teacher's Recruitment Board,
Rep.by its Chairman,
D.P.T.Compound, College Road,
Chennai-600 006.
- 2.The Regional Director of Collegiate Education,
Tirunelveli Region,
Tirunelveli.



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AND
R.VIJAYAKUMAR, J.

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Order made in
W.A.(MD)No.1055 of 2014

Dated:
07.07.2023