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WP.No.33753 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2024

CORAM:

THE HONOURABLE MRs.JUSTICE R.KALAIMATHI

WP.No.33753 of 2012

MP.No.2 of 2012

K.V.Manjula

Petitioner

Vs

1. The Chairman, Teachers Recruitment Board
Chennai-6

2. The Joint Director, Teachers Recruitment Board
Chennai-6

3. The Tahsildar, Denkanikotta, Krishnagiri

Respondents

Prayer:- This Writ Petition has been filed, under Article 226 of the Constitution

of India, to issue a Writ of Certiorarified Mandamus to call for the records of the

1st Respondent in respect of non selection, declared in the Website relating to

Roll No.12ST01300033-K.V.Manjula-Reg.No.2006 F00146-Subject Physical

Educational Trainer, under the priority quota of Intercaste Marriage and to quash

the same and consequently to direct the Respondents 1 and 2 to accept the

revised Intercaste Marriage Certificate issued by the 3rd Respondent and to

appoint the Petitioner as Physical Educational Trainer under the priority quota.

For Petitioner : Mr.M.Dhivakar

For Respondents : Mr.R.Neelakandan, AAG, assisted by
Mr.C.Kathiravan-RR1 and 2



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Mr.S.Rajesh, GA-R3

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ORDER

1. This Writ Petition is filed to issue a Writ of Certiorarified Mandamus to call for the records of the 1st Respondent in respect of non selection, declared in the Website relating to Roll No.12ST01300033-K.V.Manjula-Reg.No.2006 F00146-Subject Physical Educational Trainer, under the priority quota of Intercaste Marriage and to quash the same and consequently to direct the Respondents 1 and 2 to accept the revised Intercaste Marriage Certificate issued by the 3rd Respondent and to appoint the Petitioner as Physical Educational Trainer under the priority quota.
2. The facts of the case, led to filing of this Writ Petition are that the Petitioner, K.V.Manjula, W/o.N.Suresh of Sandanapalli Taluk, Krishnagiri, belongs to Boyar Community, which is categorised as a MBC Community. She married one N.Suresh, S/o.Nagaraj, on 26.03.2004 and he belongs to Adi Karnataka Community, which is included in Serial No.3 of Part A Scheduled Caste under Schedule II of the Tamil Nadu State and Subordinate Service. She is fully qualified for the post of Physical Educational Trainer and she is also entitled to avail the benefit under the special quota of Intercaste Marriage in the selection process. For the said post, a list of candidates from the Krishnagiri Employment Exchange was sent to the Teacher Recruitment Board for selection. She was called by the Teacher Recruitment Board to attend certificate verification on 22.04.2012. She produced the requisite certificates



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and also the Intercaste Marriage Certificate, dated 01.02.2011, issued by the 3rd Respondent, the Tahsildar, Denkanikottai. Her name did not find a place in the selection list and against her name, it was specified that her Community is not mentioned in the Intercaste Marriage Certificate. Thereafter, after obtaining a rectified Intercaste Caste Marriage Certificate on 30.07.2012, she sent a representation along with the said rectified Intercaste Marriage Certificate to the Respondents. Since her representation is not considered so far, this Writ Petition is filed by the Petitioner, seeking the relief as stated above.

3. This Court heard Mr.M.Dhivakar, the learned Counsel for the Petitioner, Mr.R.Neelakandan, the learned Additional Advocate General for the Respondents 1 and 2 and Mr.S.Rajesh, the learned Government Advocate for the 3rd Respondent, considered their submissions and also perused the materials placed on record.
4. The learned Counsel for the Petitioner submits that since the Petitioner was not selected on the ground that the Community details are not mentioned in the Intercaste Marriage Certificate, she obtained the rectified Intercaste Marriage Certificate on 30.07.2012, rectifying the said defect and sent a representation along with the rectified Intercaste Marriage certificate to the 2nd Respondent, which is not considered so far and hence, she is before this Court.



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5. The learned Additional Advocate General for the Respondents 1 and 2 would submit that at the time of certificate verification on 22.04.2012, it was found that the Intercaste Marriage Certificate dated 01.02.2011 produced by the Petitioner did not specify the Community details of the Petitioner and hence, she was not selected. He would further submit that though the Petitioner obtained a rectified Intercaste Marriage Certificate, which is dated 31.07.2012, one of the instructions to the candidates is that the said certificate should have been obtained prior to the date of certificate verification, which is 22.04.2012 and and hence, it cannot be considered and that after completion of selection process, the selection list was published on 18.10.2012 and in such circumstances, the Petitioner is not entitled to get appointment to the post of Physical Educational Trainer, based on such Intercaste Marriage Certificate, which was obtained after the certificate verification was done.
6. On perusal of the records, it is seen that the selection process was made through the sponsorship of candidates through the Krishnagiri Employment Exchange. The Petitioner, who belongs to the Boyar Community/MBC married to a person belongs to Adi Karnataka Community/SC. The Petitioner have applied to the post of Physical Educational Trainer under the special quota of Intercaste Marriage. On perusal of the Intercaste Marriage Certificate of the Petitioner dated 01.02.2011 produced at the time of certificate verification before the Teachers Recruitment Board, it is seen that the community details



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of the Petitioner are not mentioned in the said Intercaste Marriage Certificate.

The certificate verification was done on 22.04.2012 and the selection process reached the finality on issuance of selection list on the Website of the Teachers Recruitment Board on 18.10.2012.

7. When requisite details of an intercaste of a person, who is seeking appointment based on his/her Intercaste Marriage Certificate, are not mentioned in the said Intercaste Marriage Certificate, then it cannot be considered as an Intercaste Marriage Certificate and thereby, such a person is not eligible to seek appointment under such category or quota. Though the Petitioner herein obtained the rectified Intercaste Marriage Certificate on 30.07.2012, which was obtained much after the date of certificate verification on 22.04.2012, she belatedly approached this Court by filing this Writ Petition only on 13.12.2012 after the entire selection process was over. Further, this Writ Petition suffers from laches. In view of the aforesaid discussions, this Writ Petition is liable to be dismissed.

8. In fine, this Writ Petition is dismissed, on the ground of laches. No costs.

Consequently, the connected MP is closed.

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Index:Yes/No

Web:Yes/No

Speaking/Non Speaking

Neutral Citation: Yes/No



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R.KALAIMATHI, J.

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