



WEB COPY



W.P.No.14210 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.14210 of 2022
and W.M.P.Nos.13443 and 13444 of 2022

G.Maduramozhi

...Petitioner

-Vs-

1. The State of Tamil Nadu,
represented by its Secretary to Government,
School Education Department,
Secretariat,
Chennai – 600 009.
2. The Teachers Recruitment Board,
represented by its Chairman,
4th Floor, E.V.K.Sampath Maligai,
DPI Campus, College Road,
Chennai – 600 006.
3. The Commissioner of School Education,
O/o. The Commissionerate of School Education,
College Road,
Nungambakkam,
Chennai.
4. The Member Secretary,
Teachers Recruitment Board,
4th Floor, E.V.K.Sampath Maligai,
College Road,
Chennai – 6.

... Respondents



W.P.No.14210 of 2022

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order issued the 2nd respondent vide his impugned proceedings Nil dated Nil (published in the official website of TRB on 12.10.2021) and consequential impugned proceedings issued by the 2nd respondent Nil dated 07.04.2022 (Published in the official website of the TRB on 07.04.2022) and quash the same as illegal in so far as non inclusion of the petitioner is concerned and consequentially direct the respondents to consider the Petitioner for appointment to the post of Sewing Teacher taking into consideration of the marks secured by the Petitioner within the period that may be stipulated by this Hon'ble Court.

For Petitioner	: Mr.I.Calvin Jones
For R1 and R3	: Mrs.S.Mythreye Chandru Special Government Pleader
For R2 and R4	: Mr.R.Neelakandan Additional Advocate General assisted by Mr.C.Kathiravan Standing Counsel

ORDER

This writ petition has been filed challenging the selection process issued by the second respondent insofar as non inclusion of the petitioner to the post of Sewing Teacher.



W.P.No.14210 of 2022

2. Heard the learned counsel on either side and perused the materials

available on record.

3. The petitioner is qualified with Higher Secondary and also having Technical Education (Higher Grade) in needle work and dress making course and Technical Education (Higher Grade) in Embroidery. The petitioner is also qualified with Technical Teachers Certificate Course, Sewing, B.A, B.Ed. While being so, the second respondent issued notification, thereby invited application to the eligible candidates to the post of Sewing Teacher. The eligibility criteria is certificate in needle work and dress making (Higher Grade) and Embroidery (Higher Grade) and Technical Teachers Certificate. Since the petitioner is qualified, she applied for the said post. She had written the examination and she was short listed for certificate verification. The petitioner submitted the certificates including Embroidery (Higher Grade) certificate. However, the petitioner was not selected, on the ground that 'No Record Found'.

4. The petitioner approached the second respondent and she was informed that the petitioner failed to submit her embroidery certificate at the time of certificate verification. Thereafter, the petitioner obtained an information under the Right to Information Act stating that the petitioner's candidature was



W.P.No.14210 of 2022

not considered due to non submission of Higher Grade (Embroidery) certificate.

Therefore, the petitioner filed a writ petition before this Court in W.P.No.31050 of 2018 for direction to consider her candidature to appoint in the post of Sewing Teacher. This Court, by an order dated 26.03.2019 directed the respondent to consider the case of the petitioner by verifying the certificate and to redraw the selection list by providing the quota allotted to the persons studied in Tamil Medium and thereafter, finalize the selection list and appoint the candidates by following the procedures. Though the petitioner had undergone her Higher Grade course in Tamil Medium, she was not considered and the person who scored less than the petitioner was selected under MBC WT category and one seat was withheld.

5. A perusal of the order passed by this Court in W.P.No.31050 of 2018 dated 26.03.2019, it was observed that at the time of passing technical education nor the medium of instructions are indicated in the certificate issued by the Director of Government Examinations. That apart, Person Studied in Tami Medium certificate was not issued, since for want of records. Therefore, this Court held that in the certificate verification form, if any candidate has not opted the medium of instruction, such candidates are not eligible to avail the quota allotted for the persons studied in Tamil Medium. If any of the candidate



W.P.No.14210 of 2022

have not stated that he had studied in Tamil Medium, then such candidates are not eligible for the quota as the persons studied in Tamil Medium. In respect of all other candidates who have opted the Tamil quota both in the online application as well as in the certificate verification process in the prescribed format, those candidates can be considered in the PSTM quota. Accordingly, the respondents were directed to consider all the cases of the petitioner by verifying the online application as well as in certificate verification in the prescribed format.

6. The learned Additional Advocate General appearing for the respondents 2 and 4 submitted that the petitioner was not selected on the ground that no certificate was produced in Embroidery course. Further, the petitioner has not studied Higher Grade in Tamil Medium and not produced the Person Studied in Tami Medium certificate.

7. This issue was already decided by this Court and against which, no appeal has been filed so far. Therefore, the order became final. The petitioner annexed the Person Studied in Tamil Medium certificate issued by the authority concerned and also Higher Grade certificate in Embroidery. Therefore, the



W.P.No.14210 of 2022

petitioner is eligible for appointment to the post of Sewing Teacher, if she is otherwise qualified.

8. In view of the above, the second respondent is directed to select the petitioner for appointment to the post of Sewing Teacher under PSTM quota, if she is otherwise eligible, within a period of two weeks from the date of receipt of a copy of this order.

9. With the above directions, this writ petition is disposed of. Consequently, connected Miscellaneous petitions are closed. There shall be no order as to costs.

15.07.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Neutral Citation: Yes/No
mn

To
1. The State of Tamil Nadu,
represented by its Secretary to Government,
School Education Department,
Secretariat,



W.P.No.14210 of 2022

Chennai – 600 009.

2. The Teachers Recruitment Board,
represented by its Chairman,
4th Floor, E.V.K.Sampath Maligai,
DPI Campus, College Road,
Chennai – 600 006.
3. The Commissioner of School Education,
O/o. The Commissionerate of School Education,
College Road,
Nungambakkam,
Chennai.
4. The Member Secretary,
Teachers Recruitment Board,
4th Floor, E.V.K.Sampath Maligai,
College Road,
Chennai – 6.

G.K.ILANTHIRAIYAN. J.

mn



WEB COPY



W.P.No.14210 of 2022

W.P.No.14210 of 2022

15.07.2024