



W.P.No.16064 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2024

CORAM:

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

W.P.No.16064 of 2023
and W.M.P.No.15489 of 2023

N.Sivasankari

...Petitioner

-Vs -

1. The Chairman,
Teachers Recruitment Board,
College Road, Chennai – 6.
2. The Director of School Education,
Government of Tamilnadu,
College Road, Nungambakkam,
Chennai – 6.
3. The Commissioner,
Employment & Training Department,
Guindy, Chennai – 32.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to invite the petitioner for certificate verification based on the higher marks secured by her for appointment of the Drawing Master within the time frame that may be fixed by this Court.



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For Petitioner : Mr.S.Arokiamaniraj
For Respondents :
For R1 : Mr.R.Neelakandan
Additional Advocate General
Assisted by Mr.C.Kathiravan
Special Government Pleader
For R2 & R3 : Mrs.S.Mythreye Chandru
Special Government Pleader

ORDER

This writ petition has been filed for direction directing the first respondent to admit the petitioner for certificate verification.

2. The petitioner applied for the post of Drawing Master as per the notification No.5/2017 dated 26.07.2017. She had participated in the written examination and secured 53 marks. She is also entitled for additional weightage mark of five marks. However, the petitioner was not invited for certificate verification. The first respondent published list of candidates for certificate verification. On perusal of the list revealed that the candidates who secured marks below the petitioner have been invited under the category of backward class female and also under the category of Person Studied in Tamil Medium (hereinafter called as “PSTM”). The petitioner had also produced PSTM certificate for the said post.



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3. The petitioner also filed writ petition before this Court in W.P.No.21275 of 2018 of 2018 to consider her under the PSTM category and the same was allowed by this Court by an order dated 12.03.2019. Hence, the petitioner submitted representation dated 09.12.2022, before the respondents to consider her for certificate verification. Since the same was not considered, the petitioner approached this Court by way of this present writ petition.

4. On perusal of the counter filed by the first respondent revealed that the first respondent issued notification No.05/2017 dated 26.07.2017, inviting application from eligible candidates for the post of Special Teachers for the year 2012-2016. The petitioner had applied for the post of Special Teacher (Drawing Master) under PSTM category. The petitioner has secured 53 marks in the written examination. The cut-off marks to call for certificate verification for General Turn is 61 marks; General Turn Women is 63; Backward Class General is 55 marks and Backward Class Women is 55 marks in the general merit list. The certificate verification was conducted on 08.02.2021.

5. As per the notification in Para 9(c), the candidate who claims reservation under PSTM category has to produce Tamil Medium



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Study Certificate in the prescribed format in annexure-II. However, the petitioner did not submit her PSTM certificate in the Chief Educational Office as per the notification. Therefore, the petitioner was not considered under the PSTM category.

6. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

7. Admittedly, the petitioner has studied her entire education viz., 10th standard, Higher Secondary and technical educational teachers certificate course in drawing in Tamil medium. She belongs to the category of Backward Class community. In view of the above, the first respondent is directed to permit the petitioner for certificate verification in the selection process to the post of Special Teacher – Drawing as per the notification No.5/2017 dated 26.07.2017. If the petitioner comes under zone of consideration, the first respondent is directed to proceed with her appointment.

8. With the above directions, the Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed. There shall



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be no orders as to costs.

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Index : Yes/No

Speaking/Non Speaking order

Neutral Citation : Yes/No

rts

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G.K.ILANTHIRAIYAN. J.

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