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W.P.No.21807 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2024

CORAM:

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

W.P.No. 21807 of 2024

and

W.M.P.Nos. 23792, 23794 & 23795 of 2024

M.Kavikkuil

.... Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Higher Education K2 Department,
Fort. St.George, Chennai – 600 009.

2. Teachers Recruitment Board,
Rep. by its Chairman,
4th Floor, DPI Campus,
College Road, Chennai – 600 006.

3. The Registrar,
Bharathidasan University,
Tiruchirappalli – 620 024.

.... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records of the second respondent ineligible list for the subject Botany dated 18.07.2024 and to quash the same as being illegal and unsustainable in law insofar as petitioner is concerned and for a consequential direction to treat the petitioner as eligible for the post of



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B.T.Assistant for the subject-Botony for appoint under the recruitment notification dated 25.10.2023 issued by the second respondent herein.

For Petitioner	:	Mr.N.Kavitha Rameshwar
For R1	:	Mr.R.Neethiperumal Government Advocate
For R2	:	Mr.C.Kathiravan Standing Counsel

ORDER

This Writ Petition has been filed challenging the ineligible list published by the second respondent dated 18.07.2024.

2. Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the first respondent and the learned Standing Counsel appearing for the second respondent.

3. The petitioner was qualified with B.Sc (Bio-Technology), M.Sc., (Bio-Technology) and B.Ed. She had also qualified with Teachers Eligibility Test conducted by the second respondent in the year 2022. While being so, the second respondent issued notification, inviting applications for recruitment to the post of Graduate Teachers/Block Resource Teacher Educators. Pursuant to the said notification, the petitioner applied for the said post. She attended the written examination and secured 87 marks. She was short listed for



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certificate verification. However, by the impugned order dated 18.07.2024, the second respondent has informed the petitioner that she was ineligible to the post of B.T.Assistant in the subject of Botony.

4. The learned counsel appearing for the petitioner would submit that after completion of M.Sc (Bio-Technology), the petitioner was allowed to do her competitive examination. The second respondent published the ineligible candidate list, wherein it is stated that as per G.O.No.36, dated 15.02.2023, it is not at all applicable, since it was issued in respect of B.Sc. (Bio-Technology) awarded by Thiruvalluvar University is not equivalent to B.Sc. (Botony).

5. On instructions, the learned Government Advocate appearing for the first respondent submitted that the petitioner while applying for the said post, had undertaken to produce the qualification certificates. However, during the certificate verification, the petitioner failed to produce the qualification certificate. Admittedly, the petitioner is qualified with B.Sc (Bio-Technology) and M.Sc (Bio-Technology) with B.Ed. B.Sc (Bio-Technology) is not equivalent to B.Sc (Botony). If the petitioner studied Botony, she is eligible to apply to the post of



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B.T.Assistant (Botony).

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6. He further submitted that the petitioner has pursued B.Sc., Bio-Technology and had applied for the post of B.T.Assistant (Botony) which is totally irrelevant. He also stated that the petitioner in her application form has mentioned that her UG Degree is equivalent subject as per the notification and the said equivalent qualification is not found in the notification. Hence, the petitioner has to produce relevant equivalence certificate as per the notification No.3 of 2023 dated 25.10.2023. The relevant portion of the notification is extracted hereunder :

“B. Equivalence of Qualification :

Candidates claiming equivalence of educational qualification to the prescribed education qualification should upload and submit evidence for their claim in the form of equivalence Government Orders (G.O). Those who have applied for their equivalence Government Orders (G.O) should submit their equivalence Government Order at the time of Certificate Verification (if called for) failing which their candidature will be summarily rejected after due process.

C. Certificate Verification (C.V)



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(i) The Certificate Verification (CV) list shall be scrutinized based on the claims made by the candidates in the Online applications and uploaded documents only”.

7. He also stated that the Teachers Recruitment Board, being the recruiting agency, cannot go beyond the notification and hence when the petitioner has not produced the equivalent certificate issued by the Government of Tamil Nadu for Under Graduate Degree [B.Sc (Bio-Technology) to B.Sc (Botony)]. The petitioner did not produce any equivalent G.O. at the time of submitting the application and at the time of Certificate Verification. Hence, the Board cannot consider the candidature of the petitioner.

8. In view of the above, the candidature of the petitioner was rightly said as ineligible to the post of Graduate Teachers/Block Resource Teacher Educators. Hence, this Court finds no infirmity or illegality in the order passed by the second respondent. Thus, the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected miscellaneous petitions are closed. No costs.



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

1. The Principal Secretary to Government,
Higher Education K2 Department,
Fort. St.George, Chennai – 600 009.

2. The Chairman
Teachers Recruitment Board,
4th Floor, DPI Campus,
College Road, Chennai – 600 006.

3. The Registrar,
Bharathidasan University,
Tiruchirappalli – 620 024.

G.K.ILANTHIRAIYAN. J.

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