



W.P.Nos.22397 and 6294 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2024

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THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.Nos.22397 and 6294 of 2024

and

W.M.P. No. 24398 of 2024

W.P. No. 22397 of 2024

1. R.Rekha

2. S.Manju

3. P.Kumar

4. R.Logeswari

... Petitioners

Vs

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

2. The Director of School Education,
DPI Campus, College Road,
Chennai – 600 006.

3. The Teacher Recruitment Board (TRB),
Rep. by its Member Secretary,
College Road,
Chennai – 600 006.

... Respondents



W.P.Nos.22397 and 6294 of 2024

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to award 3 additional marks as weightage marks to the petitioners which they are eligible for as per G.O. No. 147, School Education (TRB) Department dated 22.08.2023 and consequently include the petitioners in the final selection list and appoint them as Graduate Teacher/BT Assistant in the subject Geography, and to first fill up the backlog vacancies in respect of the subject-Geography before proceeding with appointments against current vacancies, pursuant to the recruitment notification dated 25.10.2023.

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1. R.Manikandan
2. R.Logeswari
3. D.Dhivya
4. G.Kannan
5. Gobinath. V
6. D.Madeswari
7. C.Manivannan
8. N.Sujatha
9. S.Margret Rosy
10. K.Kalaiselvi



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11. S.Mekala

12. T.Yamunarani

13. P.S.Hemanathan

14. P.Nallasamy

15. V.Pachaiyammal

16. K.Kavitha

17. N.N.Karthikeyan

18. T.Prabhakaran

19. G.Manikumar

(P4 to P6, P8 to P10, P13, P14, P16 and P18
are dismissed as per order dated 24.06.2024 in
W.P. No. 6294 of 2024)

... Petitioners

Vs

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

2. The Director of School Education,
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3. The Teacher Recruitment Board (TRB),
Rep. by its Member Secretary,
College Road,
Chennai – 600 006.

... Respondents



W.P.Nos.22397 and 6294 of 2024

Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to first fill up the backlog vacancies in respect of the subject-Geography in the post of BT/Assistants/Graduate Teachers before proceeding with appointments against current vacancies as notified under Notification No. 3/2023 dated 25.10.2023 issued by the third respondent.

For Petitioner
in both W.Ps : M/s. N.Kavitha Rameshwar

For Respondents : Mrs. S.Mythreye Chandru,
in both W.Ps Special Government Pleader (for R1 & R2)

Mr. R.Neelakandan,
Additional Advocate General
assisted by Mr. K.Sathish Kumar,
Standing Counsel (for R3)

COMMON ORDER

These Writ Petitions have been filed to direct the respondents to award 3 additional marks as weightage marks to the petitioners, which they are eligible for as per G.O. No. 147, School Education (TRB) Department dated 22.08.2023, and to consequently include the petitioners in the final selection list and appoint them as Graduate Teachers/BT Assistants in the subject Geography and to first fill up the backlog vacancies in respect of the



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subject Geography before proceeding with appointments against current vacancies, pursuant to the recruitment notification dated 25.10.2023.

2. Heard the learned counsel for both sides and perused the materials available on record.

3. The petitioners had completed their graduation and B.Ed. Thereafter, they were required to pass the Teacher Eligibility Test. Therefore, they are eligible to be appointed as BT Assistants/Graduate Teachers. They applied for the post of BT Assistants/Graduate Teachers for the subject of Geography as per the recruitment notification dated 25.10.2023. The third respondent published the list for certificate verification, wherein the third respondent awarded weightage marks to the petitioners as per the said G.O. No. 147, School Education (TRB) Department dated 22.08.2023. However, during the certificate verification, the third respondent failed to award the weightage marks and published the provisional selection list on 23.07.2024. However, the names of the petitioners were not found. According to the petitioners, they are entitled to



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be awarded 3 additional marks as weightage marks, for the reason that they had completed their graduation and B.Ed., and thereafter, they had passed the Teacher Eligibility Test conducted in the year 2013 in Paper-II. Subsequently, they had acquired an additional qualification in B.Sc., Geography.

4. The learned counsel for the petitioners submitted that the petitioners are entitled to be awarded 3 additional marks for the additional qualification obtained by them. She also submitted that without filling up the backlog vacancies, the respondents are now filling up the current vacancies.

5. The learned Additional Advocate General appearing for the third respondents submitted that as per the said G.O. No. 147, School Education (TRB) Department dated 22.08.2023, only if any higher degree obtained by the petitioners in the prescribed qualification can be considered for awarding additional marks. In the case of the petitioners, they completed graduation in some other subject and acquired a B.Ed. degree. Thereafter,



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they passed the Teacher Eligibility Test. After passing the Teacher Eligibility Test, the petitioners acquired an undergraduate degree in Geography, for which they applied.

6. Therefore, they were not awarded additional marks for the earlier degree obtained by them, which is not connected to the Geography Department. Therefore, the candidatures of the petitioners cannot be considered for the award of additional marks for the degree obtained by them in different subjects, i.e., English and Tamil. Therefore, no weightage marks can be awarded to the petitioners.

7. Insofar as filling up the backlog vacancies is concerned, it depends upon the user department, i.e., on the second respondent's request, the third respondent may select candidates to fill up the backlog vacancies. As of now, there are no backlog vacancies, and whenever backlog vacancies arise, the third respondent will consider filling them. Therefore, the direction sought in these Writ Petitions cannot be considered, and these Writ Petitions are liable to be dismissed.



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8. In the result, these Writ Petitions are dismissed. No costs.

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Index: Yes/No

Neutral Citation/Yes/No

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To

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2. The Director of School Education,
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G.K.ILANTHIRAIYAN, J.

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