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W.P.No.24928 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2024

CORAM:

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

W.P.No.24928 of 2022
and W.M.P.Nos.23865, 23868, 23871 of 2022

M.R.Preethi

...Petitioner

-Vs-

1. The Teachers Recruitment Board,
represented by its Chairman,
4th Floor, EVK Sampath Maaligai,
DPI Campus,
College Road,
Chennai-600 006.

2. K.Arthi

3. The Director of Technical Education,
Government of Tamil Nadu,
Chennai.
(R3 suo-motu impleaded vide
order dated 15.09.2022 made in
W.P.No.24928 of 2022)

... Respondents

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 of the first respondent in connection with the order passed by him in Deletion List to the Provisional Selection List Already published for the Subject- Electrical and Electronics Engineering (Impugned Order- I) in so far as the Petitioner / S1.No.1 alone is concerned and Additional Provisional Selection list (Impugned Order- II) in so far as the second respondent / S1.No.1 alone is concerned for



W.P.No.24928 of 2022

direct Recruitment to the post of Lecturers in Government Polytechnic Colleges and Special Institutions and the same was uploaded on their official website on <http://trb.tn.nic.in> / poli2019/ 09092022 / msg % 20subject.htm dated 09.09.2022 and quash the same as illegal, ultravires and unconstitutional and further direct the first respondent to include the name of the petitioner in the provisional selection list dated 31.07.2022 and provide an appointment to the post of Lecturer in the first respondent's direct recruitment to the post of Government Polytechnic Colleges and Special Institutions.

For Petitioner : M/s V.Ambika

For R1 : Mr.R.Neelakandan,
Additional Advocate General
assisted by
Mr.C.Kathiravan, Standing Counsel

For R2 : Mr.E.Karthik Raja
for M/s A.Jagadeeswari

For R3 : Mr.C.Jayaprakash
Government Advocate

ORDER

This writ petition has been filed Calling for the records of the first respondent in connection with the order passed by him in Deletion List to the Provisional Selection List Already published for the Subject- Electrical and Electronics Engineering (Impugned Order- I) in so far as the Petitioner / S1.No.1 alone is concerned and Additional Provisional Selection list (Impugned Order- II) in so far as the second respondent / S1.No.1 alone is concerned for



W.P.No.24928 of 2022

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

3. The first respondent had issued Notification No.14/2019 dated 27.11.2019. Based on the said notification, the petitioner had applied for appointment to the post of Government Polytechnic Lecturer. The educational qualification required for the appointment to the said post is B.E in the concerned Branch of Engineering and the weightage marks will be awarded after certificate verification for the eligible short-listed candidates are as follows:-

a) 2 years of Teaching Experience if the candidate is full time Teacher



W.P.No.24928 of 2022

before the date of notification (or) 4 years of Teaching Experience if the candidate is a part time teacher – **2 Marks** for the Teaching Experience.

b) If the candidate is in possession of M.E/M.Tech as Additional qualification-**3 Marks**.

c) If the candidate is Ph.D. Degree holder- **5 Marks**.

4. However, the second respondent does not possess the above said qualification and she is only M.E. Degree holder without teaching experience. However, she submitted a certificate to the effect, after certificate verification and provisional selection as if she possess teaching experience.

5. A perusal of records revealed that the second respondent also filed a writ petition in W.P.No.23921 of 2022, for the following relief:-

“calling for the records relating to the impugned list issued by the second respondent in his proceedings NIL dated 30.07.2022 and quash the same as illegal insofar as non inclusion of the petitioner's name is concerned and consequently to direct the respondents to select and appoint the petitioner to the post of Lecturer (Electrical and Electronics Engineering) taking into consideration of the petitioner's qualification and the marks secured in the examination within the period that may be stipulated by this Hon'ble Court.”

6. Though the second respondent has teaching experience, she was not



W.P.No.24928 of 2022

considered to award additional marks. Pending writ petition, petitioner herein was permitted to upload her teaching experience documents from 11.03.2022 to 31.05.2022. Accordingly, the second respondent had uploaded her experience certificate on 24.03.2022 and it was taken into consideration and the second respondent was awarded two marks for her teaching experience. By adding two marks, she had secured 134 marks. The petitioner had also secured same marks. The petitioner was born on 12.08.1994 and the second respondent was born on 20.09.1989. Therefore, the second respondent is senior to the petitioner. Hence, the second respondent was appointed to the post of Lecturer. On perusal of records also revealed the same.

7. Hence, this Court finds no infirmity or illegality in the selection list which is impugned in this writ petition. Therefore, the writ petition is devoid of merits and is liable to be dismissed. The first respondent is directed to issue appointment order to the second respondent and she is entitled for all service benefits from the date of her appointment. It is made clear that the second respondent is entitled for all the benefits in accordance with law.

8. Accordingly, this writ petition is dismissed. Consequently, connected Miscellaneous petitions are closed. There shall be no order as to costs.



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W.P.No.24928 of 2022

06.02.2024
(1/2)

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order
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W.P.No.24928 of 2022

To

1. The Chairman,
The Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Campus,
College Road,
Chennai-600 006.
2. The Director of Technical Education,
Government of Tamil Nadu,
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W.P.No.24928 of 2022

G.K.ILANTHIRAIYAN. J.

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W.P.No.24928 of 2022

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