



Writ Petition No.24098 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.08.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.24098 of 2024
and WMP Nos.26344 and 26347 of 2024

M.Vadivel

.. Petitioner

Vs.

The Teachers Recruitment Board,
Rep.by its Member Secretary,
Puratchi Thalaivar Dr. M.G.R.Centenary Building,
3rd and 4th Floors,
Perasiriyar Anbazagan Educational Complex,
College Road, Chennai 600 006

.. Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus to call for the records in respect of impugned provisional selection list dated 01.08.2024 in respect of Notification No.03.2023 dated 25.10.2023 including Addendum No.03A/2023 dated 15.11.2023 published by the respondent herein to quash the same and consequently, directing the respondent to include the petitioner name Mr.M.Vadivel S/o.B.MAnnuthambiran in the selection list and appoint the petitioner for the



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post of Special B.Ed with Senior Diploma (VI-Visually Impairment- IEDSS)

in respect of Notification No.03/2023 dated 25.10.2023 including

Addendum No.03A/2023 dated 15.11.2023.

For Petitioner : Mr.D.Gopinathan

For Respondents : Mr.C.Kathiravan
Standing Counsel

ORDER

This writ petition has been filed challenging the provisional selection list dated 01.08.2024 with respect to Notification No.3 of 2023 dated 25.10.2023 and for a consequential direction to the respondent to include the name of the petitioner in the selection list and appoint the petitioner to the post of Special B.Ed with Senior Diploma (VI-Visually Impairment- IEDSS).

2. Heard Mr.D.Gopinathan, learned counsel for petitioner and Mr.C.Kathiravan, learned Standing Counsel for respondent.

3. The case of the petitioner is that he has completed B.A History in the year 1997. He has also completed Diploma in Teaching the Blind



(Senior) during the year 2012. The petitioner has also completed Bachelor of Education in Developing Tamil in the year 2012 approved by the Tamil Nadu University, Tanjavur. The petitioner has also passed TET and he belongs to MBC community.

4. The respondent issued a Notification dated 25.10.2023 for Direct recruitment of Graduate teachers / Block Resource Teacher Educators (BRTE) for a total of 2222 vacancies. As per notification, 4% was reserved for differently abled persons. The petitioner claims that he also falls under this category.

5. The petitioner appeared for the examination and secured 63 marks in history subject. On 27.05.2024, the respondent published the list of selected candidates and the name of the petitioner was found in Sl No.616. Certificate verification was also done on the same day and the petitioner submitted all the relevant documents to the respondent. According to the petitioner, he is the only person who has passed and possess the requisite qualification for being appointed to the post of Special B.Ed with Senior Diploma (VI-Visually Impairment- IEDSS) for history subject.



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6. The grievance of the petitioner is that all of a sudden in the subsequent revised provisional list that was published on 25.07.2024 and 27.07.2024 and also on 01.08.2024, the name of the petitioner did not find place and whereas, the names of nearly 10 candidates, who had secured 62 marks and below, were mentioned in the selection list. It is under these circumstances, the petitioner gave representation to the respondent to include his name in the selection list. Since the same was not acted upon, the present writ petition has been filed before this Court.

7. The learned Standing Counsel appearing on behalf of respondent submitted that the petitioner was not included in the selection list, since the petitioner did not possess the minimum qualification prescribed under the notification.

8. The minimum qualification that has been prescribed under the notification is that the candidates should possess graduation with atleast 50% marks and he must also possess B.Ed (Special Education) from a recognized university. Even though, the petitioner possessed the 1st qualification, insofar



as the 2nd qualification is concerned, the petitioner has a regular B.Ed issued by the Tamil Nadu University, Thanjavur. The other qualification possessed by the petitioner is that he has a Diploma in teaching the blind. The same is clear from Paragraph 3 of the affidavit filed in support of the writ petition and also the relevant documents that have been filed in the typed set of papers.

9. In the light of the above, since the petitioner does not possess B.Ed (Special Education), his name was not considered under that category.

10. Since the petitioner was not considered under the special category, his candidature was considered under the General Turn and MBC/DNC and also under MBC/DNC/CAT III (LD). The cut off mark for General Turn is 83, Cut off mark for MBC is 81 marks, Cut off mark for GT CAT III is 81 marks and Cut off mark for MBC CAT III (LD) is 81 marks. The petitioner had secured a total of 63 marks and he did not fall within the zone of consideration.

11. The petitioner did not possess the necessary qualification to be



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considered under the special category. The petitioner did not fall within the zone of consideration when his candidature was considered under the general category. Therefore, the name of the petitioner has not been included in the provisional list. This Court does not find any illegality in the non-selection of the petitioner.

12. In the result, this writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

21.08.2024

Index : Yes/No

Speaking order: Yes/No

Neutral citation: Yes/No

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