



W.P.No.27876 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 20.09.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.27876 of 2024

and

W.M.P.Nos.30401, 30403 & 30406 of 2024

C.Lakshmanan

.. Petitioner

Vs.

- 1.Secretary to Government,
Namakkal Kavignar Maaligai,
Department of School Education,
St. George Fort,
Chennai – 600 009.
- 2.The Director / Commissioner,
School Education Department,
DPI Campus, No.17, College Road,
Subba Road Avenue,
Nungambakkam, Chennai – 600 008.
- 3.The Chairman,
The Teachers Recruitment Board,
Puratchi Thalaivar Dr.M.G.R.Centenary Building,
3rd & 4th Floor, Perasiriyar Anbazhagan Kalvi Valagam,
College Road, Nungambakkam,
Chennai – 600 006.
- 4.The Secretary,
The Teachers Recruitment Board,
Puratchi Thalaivar Dr.M.G.R.Centenary Building,
3rd & 4th Floor, Perasiriyar Anbazhagan Kalvi Valagam,



W.P.No.27876 of 2024

College Road, Nungambakkam,
Chennai – 600 006.

.. Respondents

WEB COPY

(R3 was impleaded as representative on behalf of the selected candidates as per the order of this Court dated 20.09.2024 in W.P.No.27876 of 2024)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent in Revised Provisional Selection List dated 24.07.2024 and quash the same and accordingly directing the 3rd respondent to issue fresh provisional selection list as per the educational qualifications prescribed in the rule of SPECIAL RULES FOR THE TAMIL NADU SCHOOL EDUCATIONAL SUBORDINATE SERVICE, RULE 6 (a) and ANNEXURE – 1 and consequently select and appoint the petitioner to the post of Graduate Teacher (Geography) under the MBC / DNC turn.

For petitioner	:	Mr.P.Nethaji
For RR 1 & 2	:	Mrs.S.Mythreye Chandru Special Government Pleader
For RR 3 & 4	:	Mr.K.Sathish Kumar Standing Counsel

ORDER

This Writ Petition has been filed challenging the revised provisional list dated 24.07.2024 issued by the Teachers Recruitment Board (TRB) and for a consequential direction to the 3rd respondent to



W.P.No.27876 of 2024

issue a fresh provisional selection list.

WEB COPY

2.Heard the learned counsel for the petitioner, learned Special Government Pleader for respondents 1 & 2 and the learned Standing Counsel for respondents 3 & 4.

3.The case of the petitioner is that he completed B.Sc, Geography during April, 2008 and thereafter, completed B.Ed (Geography) in June, 2009. Subsequently, the petitioner qualified in TNTET-II (Geography) during April, 2017. The petitioner also belongs to Most Backward Class (De Notified Community).

4.The petitioner submitted application for participating in the selection called for by the Teachers Recruitment Board (TRB) to the post of Graduate Assistant (Geography). The petitioner wrote the examination and secured 72 marks. By adding the weightage marks, the petitioner secured a total of 75 marks.

5.The grievance of the petitioner is that the candidates were called for Certificate Verification and the revised provisional selection list dated



W.P.No.27876 of 2024

24.07.2024 was published by the 3rd respondent. According to the petitioner, nearly 33 candidates who did not possess the necessary qualification have been added in the provisional selection list. The petitioner has stated that those candidates did not possess the B.Ed degree in the relevant subject viz., Geography. The other ground taken is that those candidates did not complete the course in the pattern that has been stipulated in the Notification as 10+2+3+2 and whereas, they have completed in the pattern 10+2+2+3.

6.The issue that has been raised by the learned counsel for the petitioner was dealt with by this Court in the order passed in W.P.No.24661 of 2024 dated 06.09.2024. This Court has held that there is no insistence in the notification that a candidate must complete the B.Ed in a particular subject. This Court noticed the fact that the candidate had undergone the Under Graduation earlier in a different subject and had completed the B.Ed and thereafter, the candidate had completed the Under Graduation in the specific discipline for which they have submitted the application. Considering the same, this Court held that the notification does not state that the B.Ed must be completed with the same subject and therefore, the claim made by the petitioner therein is not



sustainable. For proper appreciation, paragraph Nos.14 to 16 are extracted

hereunder:

“14.The educational qualification that has been prescribed in the Notification does not talk about acquiring B.Ed qualification in the specific subject. It generally states that the candidate must be a graduate with atleast 50 marks and must possess Bachelor in education. There is no insistence by specifying that the candidate must complete B.Ed in the particular subject. If any such specification had been made, the submission made on the side of the petitioner would have carried more weight. However, it seems that the candidate had undergone U.G earlier in a different subject and had completed B.Ed. Later, they had acquired under graduation in History. Since the Notification does not state that the B.Ed must be completed with the same subject, it is too difficult to read such a requirement into the Notification.

15.In the light of the above discussion, the first ground that was raised by the learned counsel for the petitioner to the effect that the selected candidates did not possess the essential qualification and that they completed the under graduation in a reverse pattern, cannot be countenanced.

16.At the risk of repetition, this Court holds that the Notification does not specify that the B.Ed must be in the particular subject. In the absence of the same, it is enough if a candidate possess the B.Ed qualification and had completed the U.G in the specific subject.”

7.In the light of the above order, it is quite clear that the



W.P.No.27876 of 2024

notification does not specify that the candidate must possess the B.Ed qualification in the particular subject. Therefore, the B.Ed qualification possessed by those selected candidates, will suffice to consider their candidature. Consequently, there is no violation of the pattern prescribed in the notification.

8.In the light of the above discussion, the relief that is sought for by the petitioner in this writ petition cannot be granted by this Court.

9.Accordingly, this Writ Petition stands dismissed. Consequently, the connected Miscellaneous Petitions are closed. No costs.

20.09.2024

(2/2)

krk

Index : Yes / No

Internet : Yes / No

Neutral Citation : Yes / No

To

1.Secretary to Government,
Namakkal Kavignar Maaligai,



W.P.No.27876 of 2024

Department of School Education,
St. George Fort,
Chennai – 600 009.

2.The Director / Commissioner,
School Education Department,
DPI Campus, No.17, College Road,
Subba Road Avenue,
Nungambakkam,
Chennai – 600 008.

3.The Chairman,
The Teachers Recruitment Board,
Puratchi Thalaivar Dr.M.G.R.Centenary Building,
3rd & 4th Floor, Perasiriyar Anbazhagan Kalvi Valagam,
College Road, Nungambakkam,
Chennai – 600 006.

4.The Secretary,
The Teachers Recruitment Board,
Puratchi Thalaivar Dr.M.G.R.Centenary Building,
3rd & 4th Floor, Perasiriyar Anbazhagan Kalvi Valagam,
College Road, Nungambakkam,
Chennai – 600 006.

N.ANAND VENKATESH, J.

krk



WEB COPY



W.P.No.27876 of 2024

W.P.No.27876 of 2024

20.09.2024
(2/2)