



W.P.No.36038 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.01.2024

CORAM

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

W.P.No.36038 of 2023

and

W.M.P.No.36010 of 2023

G.Vimala

... Petitioner

-Vs-

1.The Chairman,
Teachers Recruitment Board,
4th Floor, E.V.K.Sampath Maaligai,
College Road, Chennai 600 006.

2.The Joint Director,
Teachers Recruitment Board,
Chennai-600 006.

... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, calling for the records relating to the order passed by the 2nd respondent in his proceedings R.C.No.8143/F3/2022 dated 09.05.2023 and quash the same and consequently direct the respondents to consider the petitioner as passed in the Teacher Eligibility Test based on the marks secured by the petitioner in pursuant to the Notification No.01/2022 dated 07.03.2022 issued Teachers Recruitment Board without reference to the discrepancy in the application form relating to community.



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For Petitioner : Ms.P.Mahalakshmi
For Respondents : Mr.R.Siddarth,
Government Advocate

ORDER

This Writ Petition has been filed challenging the order passed by the second respondent dated 09.05.2023, thereby rejected the representation submitted by the petitioner to correct her community category as Most Backward Class.

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

3. The petitioner is qualified with B.A.Lit (English) and B.Ed Special Teacher. She is eligible to apply for the Teacher Eligibility Test (TET) conducted by the Government as per G.O.(Ms) No.181, School Education (C2) Department, dated 15.11.2011, thereby designating the Teachers Recruitment Board as a Nodal Agency for conducting Teacher Eligibility Test and for recruitment of Secondary Grade Teachers and Graduate Assistants and Guidelines for conducting Teacher Eligibility Test is enclosed in the Government order.



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4. As per G.O.(Ms) No. 90, School Education Department, dated 28.03.2012, it was ordered that the qualifying candidates will be recruited based on marks, communal rotation and certificate verification. Accordingly, the Government of Tamil Nadu notified for the Teacher Eligibility Test in the Notification No.1/2022. The petitioner had applied for Tamil Nadu Teachers Eligibility Test conducted on 14.02.2023 and she had written examination and obtained 84 marks. The petitioner, being fully eligible, applied through online from a Browsing Centre, where all the details were filled up in the form and it was duly uploaded and received by the authority concerned. However, without her knowledge and an inadvertent mistake was crept in the application, which came to the knowledge of the petitioner, only after publication of the result. Though she scored 84 marks out of 150 marks, which is qualified mark for Most Backward Class, she was declared as not qualified, as if she is under the category of Backward Class.

5. A perusal of the records reveals that the petitioner belonged to MBC and while uploading the form, it was wrongly stated as BC. However, she uploaded the community certificate along with the



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form and it revealed that she belonged to MBC. Since she filled in the form as MBC, she has not been qualified in the Teacher Eligibility Test. However, it was rejected by the 2nd respondent on the ground that it is the individual responsibility of the candidate to follow the instructions and submit their accurate details at the time of registration of Tamil Nadu Teacher Eligibility Test. As per TRB Press news dated 23.07.2022, an opportunity was given from 24.07.202 to 27.07.2022 to all candidates to make corrections or edit their applications and also in the said Press news, it was already informed to all the candidates that 'requests for application corrections will not be entertained in future'.

6. In the case on hand, the petitioner came to know the error only after publication of the result. A perusal of the result reveals that she scored 84 marks and even then, she was not qualified in the Tamil Nadu Teacher Eligibility Test, since the qualified marks for BC is more than 84 marks, the qualified marks for MBC is only 80 marks. The petitioner belongs to MBC and as such, she is qualified in the Tamil Nadu Teacher Eligibility Test.



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7. In view of the above, the order passed by the second respondent is hereby quashed and the petitioner is coming under the category of MBC and if the petitioner is scored more than cut off mark, she is declared to be qualified under the MBC category. Accordingly, this Writ Petition stands allowed. Consequently, connected miscellaneous petition is closed. No costs.

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Internet : Yes
Index : Yes/No
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To

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College Road, Chennai 600 006.

2.The Joint Director,
Teachers Recruitment Board,
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