



WP(MD) No.9152 of 2022

W.P.(MD) No.9152 of 2022 and
W.M.P (MD) Nos.6550 and 6551 of 2022

R.N.MANJULA,J.

The matter is listed today under the caption "for being mentioned" at the instance of the learned counsel for the petitioner.

2. The learned counsel for the petitioner submitted that the above Writ Petition was disposed on 02.07.2024. In the said order, in paragraph No.5, it has been mentioned as '**Persons Studied in Tamil Medium**' (PSTM) Certificate for his TTC Course instead of '**Persons Studied in Tamil Medium**' (PSTM) Certificate for his Higher Grade (Free Hand Outline and Model Drawing). Therefore, the learned counsel seeks necessary correction in the said order.

3. In view of the above submission, the above said correction shall be carried out in paragraph No.5 of the order passed in the above Writ Petition as follows:

"5. In view of the same, I feel that it is appropriate to issue a direction to the 3rd respondent and accordingly, the 3rd respondent is directed to furnish the petitioner



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with the '**Persons Studied in Tamil Medium' (PSTM) Certificate for his Higher Grade (Free Hand Outline and Model Drawing)** studied in Tamil Medium within a period of one week from the date of receipt of a copy of this order and on issuance of the same, the petitioner is at liberty to produce the same before the first respondent and on such production, the first respondent shall reconsider the candidature of the petitioner as he had already come under the zone of consideration for the available vacancy in the respective quota for the said post and issue orders accordingly."

15.10.2024

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NOTE : The Registry is directed to make necessary correction in the order passed in this Writ Petition on 02.07.2024 and issue fresh order copy to the parties.

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.07.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.9152 of 2022

and

WMP(MD)Nos.6550 & 6551 of 2022

P.Palani Muthu

... Petitioner

Vs.

1. The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maligai,
College Road,
Chennai-6.

2. The Secretary,
School Education Department,
Government of Tamilnadu,
Fort St.George,
Chennai- 600 009.

3. The Director of Government Examinations,
College Road,
Chennai- 600 006.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned provisional selection list published by



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the respondent in No.Nil dated 12.10.2021 quash the same as illegal and consequently direct the respondents to select and appoint the petitioner to the post of drawing teacher in school education under MBC/DNC GT PSTM quota category, with all consequential benefits and other attendant benefits.

For Petitioner : Mr.F.Deepak

For Respondents : Mr.VR.Shanmuganathan
for R1

: Mr.T.Amjadkhan
Government Advocate
for R2 & R3

ORDER

Heard Mr.F.Deepak, learned counsel appearing for the petitioner, Mr.VR.Shanmuganathan, learned counsel for the first respondent and Mr.T.Amjadkhan, learned Government Advocate for the respondents 2 & 3.

2. The petitioner has filed this Writ Petition seeking Writ of Certiorarified Mandamus to quash the impugned provisional selection list published by the respondent in No.Nil dated 12.10.2021 and



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consequently direct the respondents to select and appoint the petitioner to the post of Drawing Teacher in School Education under MBC/DNC GT PSTM quota category, with all consequential benefits and other attendant benefits.

3. The learned counsel for the petitioner submitted that for the Educational qualification prescribed for the Drawing Teacher post called for by the first respondent is 10th and 12th Standard, Technical Education in TTC(Technical Teaching Certificate) and Higher Grade (Free Hand Outline and Model Drawing). The learned counsel for the petitioner further submitted that the petitioner applied through PSTM quota as he has studied the school education through Tamil Medium. Despite the petitioner had produced the certificates for having studied the academic qualification from 1st to 12th standard in Tamil, he is not able to produce PSTM certificate of Technical qualification. It is stated that the petitioner had applied for the PSTM certificate from the Education Department. It has given a reply dated 12.08.2020 stating that no such certificates are issued for the candidates. Earlier when the similarly



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placed persons have filed writ petitions in W.P.Nos.28458 of 2019 etc. batch, wherein this Court has held that production of such certificates is not necessary taking into account of the non-issuance of PSTM certificates for Technical Course.

4. When the matter was challenged by the Government by way of preferring writ appeal in W.A.Nos.404 of 2020 and batch., the Division Bench has held that every Education including Technical Education has medium of instruction, hence, it cannot be stated that the certificate evidencing the medium of instruction is unnecessary and it has to be furnished. Having got such an order, the reluctance on the part of the Government to issue PSTM Certificate for all those who have studied the Technical Education in Tamil is contrary to their own stand taken before the Court. In fact, from the communication dated 12.08.2020 given to the petitioner stating that such certificates are not available, it is seen that the Director of Government Examination is not aware of the judicial pronouncements in this regard and he denied to issue certificates of that nature for candidates who are in need of the same.



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5. In view of the same, I feel that it is appropriate to issue a direction to the 3rd respondent and accordingly the 3rd respondent is directed to furnish the petitioner with the 'Persons Studied in Tamil Medium' (PSTM) Certificate for his TTC Course studied in Tamil Medium within a period of one week from the date of receipt of a copy of this order and on issuance of the same, the petitioner is at liberty to produce the same before the first respondent and on such production, the first respondent shall reconsider the candidature of the petitioner as he had already come under the zone of consideration for the available vacancy in the respective quota for the said post and issue orders accordingly.

6. With the above direction, this writ petition is **disposed of**. No Costs. Consequently, connected miscellaneous petitions are closed.

02.07.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
PJJ



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To

1. The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maligai,
College Road,
Chennai-6.

2. The Secretary,
School Education Department,
Government of Tamilnadu,
Fort St.George,
Chennai- 600 009.

3. The Director of Government Examinations,
College Road,
Chennai- 600 006.



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