



WP(MD) No.14191 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **02.07.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.14191 of 2024
and
W.M.P(MD)No.12453 of 2024

Juliat

... Petitioner

Vs.

1.Teachers Recruitment Board,
Represented by its Chairman,
3rd Floor, Puratchi Thalaivar Dr.MGR
Centenary Building,
DPI Campus, College Road,
Chennai-600 006.

2.Teachers Recruitment Board,
Represented by its Member Secretary,
3rd Floor, Puratchi Thalaivar Dr.MGR
Centenary Building,
DPI Campus, College Road,
Chennai-600 006.

3.The Director of School Education,
O/o.the Director of School Education,
DPI Campus,
Chennai-600 006.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Declaration to declare the certificate verification published by the 2nd respondent dated 26.05.2024 in respect of the Direct Recruitment to the post of Graduate



WP(MD) No.14191 of 2024

Teachers Block Resource Teacher Educators BRTE - 2023 in Botany Subject under Backward Class (Women) (Special Education) Category as illegal and consequently for a direction, directing the respondents to select and appoint the petitioner in the Post of Graduate Teachers Block Resource Teacher Educators BRTE-2023 in Botany Subject under Backward Class (Women) (Special Education) Category as per the Notification No.03/2023 dated 25.10.2023 within the time period stipulated by this Court.

For Petitioner : Mr.G.Karthik
For R1 & R2 : Mr.VR.Shanmuganathan
For R3 : Mr.M.Sidharthan
Additional Government Pleader

ORDER

The petitioner has filed this writ petition seeking for a Writ of Declaration to declare the certificate verification published by the 2nd respondent dated 26.05.2024 in respect of the Direct Recruitment to the post of Graduate Teachers Block Resource Teacher Educators BRTE - 2023 in Botany Subject under Backward Class (Women) (Special Education) Category as illegal and consequently to direct the respondents to select and appoint the petitioner in that Post as per the Notification No.03/2023, dated 25.10.2023 within the time period stipulated by this Court.



WP(MD) No.14191 of 2024

2. Heard Mr.G.Karthik, learned counsel for the petitioner, Mr.M.Sidharthan, learned Additional Government Pleader for the third respondent and Mr.VR.Shanmuganathan, learned counsel for the first and second respondents.

3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

4.The petitioner had participated in the process of direct recruitment to the post of Graduate Assistant/Block Resource Teacher Educator in Botany for the year 2023. She had secured 76 marks in the examination. However, she was not called for certificate verification.

5.The grievance of the petitioner is that the petitioner secured higher marks and comes under the category of BC-Women. However, the candidates, who have secured less mark than the petitione and do not belong to the said category, have been called for certificate verification.



WP(MD) No.14191 of 2024

WEB COPY

6.The learned Standing Counsel for the Teacher Recruitment Board submitted that the post, to which the petitioner seeks to be appointed is Graduate Teacher (IEDSS) under B.Ed., (Special Education) category. However, the petitioner had applied under the category of B.Ed., General. Hence, she was considered under that category.

7.The learned counsel for the petitioner submitted that only in the Addendum Notification, the Special Education Posts were mentioned and hence, the petitioner was not able to upload the required certificates even though she possesses the qualification in P.G.Diploma in Special Education (Multiple Disability: Physical & Neurological).

8.The learned Standing Counsel for the Board submitted that though in the main notification, the Special Education Post was not mentioned, in the addendum, it is stated that the candidates who opted to apply under B.Ed., Special Education, were given an opportunity, to upload the certificates for Special Education with edit option in the online portal from 14.12.2023 to 15.12.2023. The petitioner without



WP(MD) No.14191 of 2024

doing so, now claims that she is eligible for the post of B.Ed., (Special Education).

9.It is further submitted that only after the addendum was issued, the petitioner had made application to the said post under B.Ed., category. Hence, the petitioner has got an opportunity to upload the certificates for special education even at the time he applied to the said post. Though the petitioner has got PG Diploma in Special Education (Multiple Disability : Physical & Neurological) approved under the Rehabilitation Council of India, the petitioner was not qualified for the post of Graduate Teacher (IEDSS), as she had opted to apply under B.Ed., Degree category. Further, as per the notification dated 25.10.2023, the special course obtained by the petitioner is not the prescribed course to be considered for the post of Graduate Teacher (IEDSS).

10.It is learnt from the records that due to the addendum, the Board has provided with edit option from 14.12.2023 to 15.12.2023 to make correction in the application already made in pursuant to the original notification. However, the petitioner failed to do so.

11.In the addendum notification dated 15.11.2023,



WP(MD) No.14191 of 2024

qualification for Graduate Teachers (IEDSS) has been mentioned. The limited qualification, which has been prescribed for the appointment to the post of Graduate Teachers (IEDSS) is graduation with atleast 50% marks and B.Ed., (Special Education) from a recognized university. However, the petitioner was not qualified for the same, as the petitioner's qualification of PG Diploma in Special Education (Multiple Disability : Physical & Neurological) has not been mentioned in the prescribed qualification for the post of Graduate Teachers (IEDSS) in the addendum notification.

12.If the petitioner claims that the above qualification obtained by her is also equivalent to that of the Special Education, the petitioner ought to have challenged the addendum notification dated 15.11.2023 itself and get appropriate orders from the authorities concerned for recognizing the petitioner's qualification as an equivalent qualification for that post. Unless, the qualification is prescribed in the notification, the petitioner cannot expect the facility to upload her additional qualification, even if she was allowed to edit the application on 14.12.2023 and 15.12.2023. Without having the required qualification, the petitioner cannot claim consideration of her



WP(MD) No.14191 of 2024

candidature to the post of Graduate Teacher (IEDSS). Hence, the relief sought for by the petitioner cannot be granted.

13. With the above observation, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

02.07.2024

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
ta

To

1. Teachers Recruitment Board,
Represented by its Chairman,
3rd Floor, Puratchi Thalaivar Dr.MGR
Centenary Building,
DPI Campus, College Road,
Chennai-600 006.

2. Teachers Recruitment Board,
Represented by its Member Secretary,
3rd Floor, Puratchi Thalaivar Dr.MGR
Centenary Building,
DPI Campus, College Road,
Chennai-600 006.



WEB COPY



WP(MD) No.14191 of 2024

R.N.MANJULA, J.

ta

3.The Director of School Education,
O/o.the Director of School Education,
DPI Campus,
Chennai-600 006.

W.P.(MD)No.14191 of 2024

02.07.2024