



W.P.(MD)No.18569 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.18569 of 2024

and

W.M.P.(MD).Nos.15775 & 15777 of 2024

S.Subarna

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep by its Secretary,
Department of School Education,
Fort St.George, Chennai-600 009.

2.The Director of School Education,
College Road, Chennai-600 006.

3.The Teachers Recruitment Board,
Represented by its Chairman,
4th Floor, EVK Sampath Maligai,
College Road,
Chennai-600 006.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned list of ineligible candidates Published by the 3rd respondent TRB in its official website (www.trb.tn.gov.in) on 22.07.2024 quash the same in so far as it rejects the petitioner's candidature for the direct recruitment to the post



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of B.T Assistant in Physics and further Direct the third respondent Teachers Requirement Board to give appointment forthwith to the petitioner to the post of B.T. Assistant in Physics in the Direct Recruitment of Graduate Teachers and Block Resource Teacher(BRTE) – 2023.

For Petitioner : Mr.T.Cibichakarborthy

For R-1 & R-2 : Mr.T.Amjadkhan,
Government Advocate

For R-3 : Mr.VR.Shanmuganathan,
Standing Counsel

ORDER

By consent of both parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. Heard Mr.T.Cibichakraborty, learned counsel appearing for the petitioner, Mr.T.Amjadkhan, learned Government Advocate appearing for respondent Nos.1 and 2 and Mr.VR.Shanmuganathan, learned Standing Counsel appearing for the third respondent.

3. The petitioner's name has been placed under the ineligible list by citing the Government Order in G.O.(Ms).No.270, Higher Education (J1) Department,



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dated 03.12.2019 that her subject viz., B.E., (Electrical and Electronics Engineering) Degree is not equivalent to B.T. Assistant (Physics). The petitioner has possessed UG degree in Engineering (Electrical and Electronics Engineering) with B.Ed., in Physical Science (Physics) and she has also cleared the Teacher Eligibility Test. As per the Government Order in G.O.(Ms).No. 270, Higher Education (J1) Department, dated 03.12.2019, certain resolutions are found in the Equivalence Committee meeting. In the Government Order in G.O.(Ms).No.270, Higher Education (J1) Department, dated 03.12.2019, under Resolution No.2.30, it is stated that the educational qualification in B.E. (any discipline) with B.Ed., is eligible to teach from standards VI to VIII. A clarification was sought before the Equivalence Committee that whether those candidates are eligible to the post of B.T. Assistant (Maths) for the purpose of employment in public services.

4. Mr.VR.Shanmuganathan, learned Standing Counsel appearing for the third respondent, submitted that a similar candidate has filed a writ petition before this Court in W.P.(MD).No.18726 of 2024 by claiming that B.E., degree in every discipline with B.Ed., is equivalent to B.Sc., Physics or Maths. However, the said petition was dismissed stating that such an equivalence has not been recognized by the Equivalence Committee.



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5. Reference was also made in the Government Order in G.O.(Ms).No. 270, Higher Education (J1) Department, dated 03.12.2019. However, the learned counsel appearing for the petitioner claims that reference in the Government Order in G.O.(Ms).No.270, Higher Education (J1) Department, dated 03.12.2019 under Resolution No.2.30 does not state that a person possessing B.Sc., in any other discipline is not eligible to hold the post of B.T. Assistant Physics. Hence, the petitioner's candidature cannot be rejected.

6. Attention was also drawn to the Government Order in G.O.(1D).No.94, Higher Education (G1) Department, dated 21.03.2018, which would state that the educational qualification to be admitted to the course of B.Ed., can even be a degree in Engineering. Now the issue raised in this Writ Petition does not have any relevance to the Government Order in G.O.(1D).No.94, Higher Education (G1) Department, dated 21.03.2018. The petitioner's eligibility to get B.E., (any discipline) with B.Ed., has not been questioned by the Teachers Recruitment Board. The only thing which came under the scanner was whether the petitioner who possessed B.E., (Electrical and Electronics Engineering) is eligible to be considered as B.T. Assistant (Physics). The Government Order in G.O.(Ms).No.270, Higher Education (J1) Department, dated 03.12.2019 does not clarify about the eligibility of Engineering graduates to take classes as B.T.



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Assistant for any other subjects other than Maths with B.Ed., and TET eligibility.

7. Accordingly, the Writ Petition stands **disposed of**. In such case, it is for the first respondent to take a eligibility of engineering graduates to act as B.T. Assistant in any other subjects other than Maths and clarify the same with the Equivalence Committee and issue Government orders in this regard as expeditiously as possible.

8. No costs. Consequently, the connected miscellaneous petitions are closed.

02.08.2024

NCC:yes/no

Index:yes/no

Internet:yes/no

TSG

To

- 1.The Secretary,
State of Tamil Nadu,
Department of School Education,
Fort St.George, Chennai-600 009.
- 2.The Director of School Education,
College Road, Chennai-600 006.
- 3.The Teachers Recruitment Board,
Represented by its Chairman,
4th Floor, EVK Sampath Maligai,
College Road, Chennai-600 006.



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R.N.MANJULA, J.

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