



W.P.(MD)No.23948 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.09.2024

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.23948 of 2019

and

W.P.(MD)No.20559 of 2019

A.Thamilisai

: Petitioner

Vs.

1.The Director,
Technical Education,
Directorate of Technical Education (Dote),
53, Sardar Patel Road,
Guindy,
Chennai – 600 025.

2.The Chairman,
Teachers Recruitment Board,
EVK Sampath Buildings,
College Road,
Chennai – 600 006.

3.The Principal,
Alagappa Chettiar Government College
of Engineering and Technology,
Karaikudi, Sivagangai District.



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4.The Principal,
GMS-MAVMM Polytechnic College,
Alagarkovil, Madurai – 625 301.

5.The Principal,
K.L.N. College of Information Technology,
Madurai-Nedungulam Road,
Pottapalayam,
Sivagangai District – 630 612.

6.The Principal,
Kamaraj College of Engineering & Technology,
S.P.G.C. Nagar, K.Vellakulam,
Near Virudhunagar,
Madurai District – 625 701.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents 1 and 3 herein to receive the Format – I teaching experience certificate dated 17.10.2019 submitted by the petitioner in respect of her teaching experience gained from GMS-MAVMM Polytechnic College, Madurai between 14.06.2006 – 13.04.2007 and also counter sign the same and also the Format I teaching experience Certificate presented by the petitioner in respect of teaching experience from K.L.N. College of Information Technology, Pottapalayam and Kamaraj College of Engineering & Technology, K.Vellakulam



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forthwith so as to enable the petitioner to participate in the process of selection pursuant to Notification No.12/2019 dated 28.08.2019 and 04.10.2019 issued by the second respondent.

For Petitioner : Mr.J.Anandkumar
for Mr.A.Chilamparasan
For Respondents 1 & 3 : Mr.S.Kameswaran
Special Government Pleader
For Respondent No.2 : Mr.VR.Shanmuganathan
Standing Counsel

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents 1 and 3 to receive the Format – I Teaching Experience Certificate dated 17.10.2019 submitted by the petitioner in respect of her teaching experience gained from GMS-MAVMM Polytechnic College, Madurai between 14.06.2006 – 13.04.2007 and also counter sign the same and also the Format I Teaching Experience Certificate presented by the petitioner in respect of teaching experience from K.L.N. College of Information Technology, Pottapalayam and Kamaraj College of Engineering & Technology, K.Vellakulam forthwith, so as to enable the petitioner to participate in the process of selection pursuant to Notification No. 12/2019 dated 28.08.2019 and 04.10.2019 issued by the second respondent.



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2.It is now brought to the notice of this Court by the learned Standing Counsel appearing for the respondent [Teachers Recruitment Board] that subsequent to the filing of this Writ Petition, the impugned notification namely Notification No.12/2019 dated 28.08.2019 and 04.10.2019 issued by the second respondent has been withdrawn. The said statement is recorded.

3.However, learned Counsel for the petitioner would submit that in the first limb of the prayer in this writ petition, the petitioner has sought for a direction to the respondent Board to award marks for the experience in polytechnic colleges referred to in the prayer of this writ petition and the same will have to be considered in the light of the judgment rendered by the Division Bench of this Court dated 26.11.2014 passed in W.A.2114 of 2012 in the case of Dr.M.Govindaraju Vs. State of Tamil Nadu and others, wherein it has been categorically held that polytechnic colleges are also colleges and therefore experience gained by the petitioner in those colleges will have to be considered for the award of marks.

4.Learned Counsel for the petitioner also drew the attention of this Court to paragraph No.6 of the aforesaid judgment of the Division Bench of this Court, wherein it has been held that the experience gained in polytechnic colleges is also to be considered for



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the purpose of awarding marks which is identical to the case on hand. However, since the impugned notification has been withdrawn subsequent to the filing of this writ petition, only in respect of future notifications to be issued by the respondent Board, the petitioner can get the benefit by the award of marks in her favour for her experience in the polytechnic colleges referred to supra.

5. Learned Standing Counsel appearing for the respondent Board has also not raised any serious objection if the petitioner is awarded marks for her experience in polytechnic colleges and the same is considered by the respondent Board as and when the petitioner participates in any selection process pursuant to a notification issued by the respondent Board for selection in the near future.

6. For the foregoing reasons, this Writ Petition is disposed of by holding that the petitioner is entitled to be awarded marks for her experience in polytechnic colleges and a direction is issued to the respondent Board [Teachers Recruitment Board] to consider awarding of marks to the petitioner for her experience in polytechnic colleges referred to supra as and when the petitioner participates in any selection process called for by the respondent Board [Teachers Recruitment Board] in the near future.



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7. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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ABDUL QUDDHOSE, J.

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