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W.A.No.3006 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2025

CORAM :
THE HONOURABLE MR.JUSTICE R. SURESH KUMAR
AND
THE HONOURABLE MR.JUSTICE HEMANT CHANDANGOUDAR

W.A.No.3006 of 2025

M.Padmavathy

.. Appellant

Vs.

1. The Director of School Education
Government of Tamil Nadu, College Road
Chennai – 600 006.

2. The Secretary
Teachers Recruitment Board
4th Floor, E.V.K.Sampath Maligai
D.P.I.Complex, College Road
Chennai – 600 006.

3. S.Sakthi

4. The Director of Government Examination
Directorate of Government Examination
DPI Campus, College Road
Chennai – 600 006.

.. Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent, against the order made in W.P.No.15779 of 2020 dated 18.12.2023.

For the Appellant/Party-in-Person : Ms.M.Padmavathy

For the Respondents

: Mr.R.Neelakandan
Addl. Advocate General
assisted by
Mr.C.Kathiravan
Standing Counsel for R2

Mr.J.C.Durairaj
Additional Govt. Pleader
for R1 and R4



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JUDGMENT

(Judgment of the Court was made by R.SURESH KUMAR, J.)

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This intra-Court appeal has been directed against the order passed by the Writ Court dated 18.12.2023 made in W.P.No.15779 of 2020.

2. That the present appellant was the writ petitioner who applied for appointment to the post of Special Teacher in Music pursuant to the notification issued by the respondent Teacher Recruitment Board¹ dated 26.07.2017. One post of Music Teacher since has been reserved vertically for Scheduled Tribe category, which has further been reserved horizontally for PSTM category, that is Persons Studied in Tamil Medium.

3. Though at the time of making application, the writ petitioner/appellant claimed that she studied in Tamil Medium and based on which, the provisional selection list was issued on 13.08.2018, where the name of the writ petitioner/appellant was included, subsequently, in the final list which was prepared by the TRB, the name of the writ petitioner/appellant was removed or not included. As against which, the writ petitioner/appellant had approached the Writ Court by filing the said writ petition.

¹ In short, "TRB".



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4. It is the contention of the writ petitioner/appellant, who appears as Party-in-Person before this Court, that, the writ petitioner/appellant studied the entire qualification in Tamil Medium, including 10th Standard. That is the reason why she claims appointment under the PSTM quota. The same having been considered, her name was included in the provisional list and subsequently, in the final selection list, her name has been excluded for no fault of her and despite she having completed the entire qualification in Tamil Medium, non-selection of the writ petitioner/appellant under the PSTM quota is bad in law and also arbitrary. Therefore, when that was projected before the Writ Court, the Writ Court has not considered her case in proper perspective, hence, the writ petitioner/appellant was constrained to prefer the present intra-Court appeal. Therefore, the writ petitioner/appellant, who appears Party-in-Person, seeks indulgence of this Court as against the impugned order passed by the Writ Court.

5. Heard *Mr.R.Neelakandan*, learned Additional Advocate General, assisted by *Mr.C.Kathiravan*, learned Standing Counsel appearing for the TRB/respondent 2 and *Mr.J.C.Durairaj*, learned Additional Government Pleader for respondents 1 and 4.



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6. It is the case of the TRB, which was considered and recorded by the learned Judge in the impugned order, that, though on the basis of the claim made by the writ petitioner/appellant, that she studied the entire qualification in Tamil Medium, initially, she was considered in the Tamil Medium quota and her name has been included in the provisional list, subsequently, when certificates were verified, since there have been no certificates to establish that the writ petitioner/appellant has studied 10th Standard SSLC in Tamil Medium and since the certificates to that effect have not been produced, as the last date for producing such certificates was over as early as on 18.08.2017, the TRB could not select the writ petitioner/appellant under the PSTM quota.

7. That is the reason why her name though had been initially included in the provisional list, has subsequently been excluded and resultantly, she was not selected and this position having been considered in proper perspective by the learned Judge who dismissed the writ petition, hence, the respective learned counsel appearing for the respondents want this matter to be dismissed without showing any indulgence as sought by the writ petitioner/appellant.



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8. We have given our anxious consideration to the rival submissions made by both sides and have perused the materials placed before this Court.

9. It is the admitted case on the part of the writ petitioner/appellant that the last date for making such application and also these certificates to be produced was fixed as 18.08.2017, whereas, even though the writ petitioner/appellant had claimed that she studied the entire qualification in Tamil Medium, insofar as such claim is concerned, the certificates with regard to the studies she made in writing the 10th Standard SSLC examination in Tamil Medium have not been produced.

10. It is the admitted case on the part of the writ petitioner/appellant that, since there is no specific certificate to that effect has been issued, such certificate could not have been produced, but, the fact remains that, according to the writ petitioner/appellant, in the 10th Standard mark statement, it has been mentioned as Tamil as a language, apart from other subjects like English, Mathematics, Science and Social Science. Therefore, the 10th Standard mark statement, which is a testimony to show or to establish that the writ petitioner/appellant has studied 10th



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Standard in Tamil Medium and since 10th Standard mark statement had already been submitted well before the cut-off date 18.08.2017 and based on which only the name of the writ petitioner/appellant since has been included in the provisional selection list, there has been absolutely no reason to reject the candidature of the writ petitioner/appellant, that is exclusion of the same, from the provisional selection list, she contended.

11. The said understanding, as projected by the writ petitioner/appellant, is under wrong notion. The reason being that, insofar as the 10th Standard SSLC examination is concerned, there are five subjects common to at least all the students or majority of the students who study 10th Standard in the Schools, especially State Board Schools in the State of Tamil Nadu. The five subjects are, the first is language; the second subject is English; the third is Mathematics; the fourth is Science and the fifth is Social Science.

12. Insofar as the first language is concerned, no doubt, the writ petitioner/appellant studied Tamil as one of the subjects and the second is English. Insofar as the first and second subjects are concerned, because they are language subjects, those language subjects must be in the said languages alone. However, insofar as



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the Medium of Instructions is concerned, the remaining subjects, namely Mathematics, Science and Social Science, they ought to have been studied either in Tamil or in English. That is what called as the "Medium of Instruction".

13. If the Medium of Instruction is Tamil, where all the subjects were taught, studied and examinations were written by the candidate concerned in Tamil, only then, the candidate could be considered to be a candidate who studied in Tamil Medium. Those persons studied in Tamil Medium (PSTM) are eligible and are entitled to get horizontal reservation of 20% under the PSTM Act, 2010.

14. Here, in the case in hand, admittedly, the writ petitioner/appellant has produced the Secondary Grade Leave Certificate, where, it has been mentioned as Tamil as the first language, English as the second language, then Mathematics, Science and Social Science, but, nowhere, it has been stated that the subjects were taught and she wrote the examinations in Tamil. Even though it was the fact, according to the writ petitioner/appellant, that she studied 10th Standard in Tamil Medium only and to that effect she made a request to the Directorate of



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Government Examinations, she has issued a certificate on 18.09.2019 to the following effect:-

“பார்வையில் குறிப்பிட்டுள்ள மனுதாரரின் கடிதத்துடன் இணைத்து அனுப்பப்பட்ட கீழ்க்காண் விவரங்கள் அடங்கிய மதிப்பெண் சான்றிதழ்/சான்றிதழ்கள் இவ்வலுவலக ஆவணங்களுடன் ஒப்பிட்டுப் பார்த்ததில் அன்னா தமிழ் மொழி வழியில் தேர்வெழுதியுள்ளா (Written Exam in Tamil) எனத் தெரிவிக்கப்படுகிறது.”

15. Therefore, when this certificate having been produced, the same should have been taken into account by the TRB in accepting the candidature of the writ petitioner/appellant as a person who studied in Tamil Medium (PSTM) and accordingly, for the only post, that is Music Teacher for Scheduled Tribes category, reserved for PSTM candidates, even though the third respondent secured higher marks than the writ petitioner/appellant, the writ petitioner/appellant ought to have been selected and selection should have been finalized in the final selection list. This was the plea raised by the writ petitioner/appellant.

16. This plea cannot be accepted by this Court, as has not been accepted by the Writ Court, the reason being that, the certificate dated 18.09.2019 is well after the cut-off date, that is 18.08.2017. Initially, the TRB has considered the application submitted by the writ petitioner/appellant, where, she claimed that



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she was a PSTM candidate, probably, the TRB had only included the name of the writ petitioner/appellant in the selection list, however, subsequently, when certificate verification was made, since there has been no certification to the extent to establish that the writ petitioner/appellant has studied 10th Standard SSLC in Tamil Medium, rightly, her candidature has been rejected from the purview of PSTM candidate under the provisions of the PSTM Act. As there was no eligible candidate available in the particular quota, which is horizontally fixed for 16% reservation, where, horizontal reservation for PSTM quota has also been provided, such type of vacancy or situation could be switched over to the General pool, that is other candidates in the same communal category without having PSTM qualification.

17. Here, exactly that has happened, where, the third respondent, though secured higher marks, initially, the writ petitioner/appellant was included in the provisional selection list because she claimed PSTM, as the vacancy was only fixed for PSTM horizontally and then subsequently, when there has been no certificates for verification and scrutiny, the mark statement given by the writ petitioner/appellant could not be verified and without having verification, it cannot be blamed that the TRB should have



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selected her under the PSTM quota.

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18. Therefore, naturally, the writ petitioner/appellant has to face the ouster from the purview of provisional list, accordingly, she has been ousted from the provisional list, where, the actual meritorious candidate, who is the third respondent, who happens to be from the same communal category and the seat since also has been reserved for Scheduled Tribe Community and the third respondent also having such Community, she has been selected and appointment order has been given in the year 2019, where, she has been working for six years.

19. Without considering all these aspects, since the writ petitioner/appellant had approached the Writ Court, that too, belatedly only in the year 2020 after every selection was over and the appointment was given to the third respondent, the learned Judge, having considered all these factual matrix, has come to the conclusion, of course rightly, that the rejection of the candidature of the writ petitioner/appellant for want of proper certificates to be filed in time has to be accepted and accordingly, the writ petition filed by her was dismissed.



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20. Therefore, we do not find any reason to interfere with the said view taken by the learned Judge in the impugned order and the conclusion arrived by the learned Writ Court. Therefore, resultantly, the writ appeal also deserves to be rejected, accordingly, it is dismissed. However, there shall be no order as to costs. Consequently, C.M.P.No.24278 of 2025 is closed.

(R.S.K., J.) (H.C., J.)
13.10.2025

Speaking Order/Non-Speaking Order
Neutral Citation:Yes/No
Internet:Yes/No
Index:Yes/No

(drm)

To:

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Government of Tamil Nadu, College Road
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2. The Secretary
Teachers Recruitment Board
4th Floor, E.V.K.Sampath Maligai
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R. SURESH KUMAR, J.
AND
HEMANT CHANDANGOUDAR, J.

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