



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2025

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THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P.No.20757 of 2018

and

WMP.Nos.24385 & 24386 of 2018

S.SANDEEP KUMAR

S/o K.SAMPA

Aged about 26 yrs,

No:1/224/1 Katpadi Main Road,

Near Rusha Town Ship,

K.V.Kuppam, Katpadi Taluk,

Vellore District.632 201

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Petitioner

/vs/

1.Government of Tamilnadu

Rep by its Secretary to Govt School

Education Department, Fort St. George,

Chennai.

2.The Chairman,

Teachers Recruitment Board,

4th Floor, EVK Sampathmaligai,

DPI Campus, College Road,

Chennai-600 006

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Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a WRIT OF MANDAMUS Writ of Mandamus, directing the 2nd respondent to Include the petitioner's name and allow the petitioner to participate



in the certificate verification which was scheduled on 13.08.2018.

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For Petitioner : S.Mai. Armannan&A.Sjivasankar

For Respondents : MR.R.Neelakandam, AAG
assisted by Mr.C.Kathiravan, SC for R2
:Mr.P.Rajarajeswari, GA for R1

ORDER

Heard Mr.S. Mai. Armannan, learned counsel for the petitioner, Mr. R. Neelakandam, learned Additional Advocate General for the second respondent, Mr. P. Rajarajeswari, learned Government Advocate for the first respondent, and perused the materials available on record.

2. The petitioner has filed this writ petition seeking a writ of mandamus to direct the 2nd respondent to include the petitioner's name and allow the petitioner to participate in the certificate verification, which was scheduled on 13.08.2018.

3. The learned counsel for the petitioner submitted that the petitioner is a physically challenged person who has a disability of 100% hearing impairment. The 2nd respondent has called for direct recruitment of special teachers (physical education, drawing, music and sewing) in school education and other departments for the years 2012-2016. The petitioner has also applied for the post



of drawing teacher under the category of differently abled quota as well as ex-serviceman quota. Upon publication of the results, the provisional list of candidates shortlisted for certificate verification was released on 12.10.2018. It was indicated that Category II was not available.

4. The learned counsel for the petitioner further submitted that Category II, which represents the *deaf and hard of hearing*, was not made available, thereby denying eligible candidates under this category an opportunity for consideration. The petitioner who has got the disability certificate in the said category, though applied, has not been considered. In view of the same, an interim order was passed on 11.10.2018 by directing the respondents to allow the petitioner to participate in the certificate verification. Accordingly, the petitioner has also participated in the certificate verification. Even though the petitioner has also claimed to be coming under the ex-serviceman category, it is clarified by the respondents that the above category is reserved only for ex-servicemen and not for the dependents of the ex-servicemen.

5. The petitioner claimed that his father was an ex-serviceman, and he is entitled to the said quota. Since the above quota is not reserved for the dependents of the ex-serviceman, the petitioner cannot claim he is falling under



the said category. So far as the General Turn – Physically Handicapped Category

II, meant for the *deaf* and *hard of hearing*, is concerned, the petitioner produced the relevant disability certificate and also participated in the certificate verification process pursuant to the direction of the Court.

6. However, in the counter filed by the 2nd respondent, it is stated that the cut-off mark secured by the last candidate calling for the certificate verification in the physically handicapped category had secured 53 marks, and this petitioner had secured only 42 marks. In fact, in the provisional list published, there is no person who seems to be mentioned against category II and hence, no person would have been called for certificate verification under the said category. Only in the counter, it is stated that other persons are also being called for certificate verification under category II and he had secured 53 marks. But even further, no order has been passed so far.

7. So far as the petitioner is concerned, his relief is included in the list of candidates who have been called for certificate verification, and the said relief has been granted. But the respondent has to pass an order as to why the petitioner was not found to be eligible for appointment despite falling under Category II and secured 42 marks. In case there are other candidates falling under the same category and who have been called for certificate verification, it should also be



clarified as to why the same has not been initiated in the earlier provision list published in the year 2018.

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8. As the petitioner is not able to know the reasons as to why he was not given with the appointment order though he presumed himself to be the sole candidate called for certificate verification who had obtained the minimum qualifying marks, the 2nd respondent has to be directed to pass an order in this regard within a specific time frame.

9. In view of the above stated reasons, this writ petition is **disposed**. The 2nd respondent is directed to pass an order with regard to the selection of the petitioner under category II for the post of drawing teacher within a period of two weeks from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, the connected miscellaneous petition is also closed.

03.04.2025

Index : Yes
Internet : Yes/No
Speaking : Non-Speaking order
Neutral: Yes/ No
jrs

R.N.MANJULA, J.



jrs

To
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1. Government of Tamilnadu
Rep by its Secretary to Govt School
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