



W.P.No.5769 of 2016

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2025

CORAM

THE HONOURABLE MR. JUSTICE RMT.TEEKAA RAMAN

W.P.No.5769 of 2016 and W.M.P.No.5104 of 2016

P.Sumathi

W/o.P.Srinivasan

Kondappanaickenpalli

Bargur, Krishnagiri Taluk and District.

... Petitioner

Vs.

1.The Director of Elementary Education

DPI Campus

College Road, Chennai 600 006

2.The District Elementary Educational Officer

Krishnagiri, Krishnagiri District

3.S.Vijaya

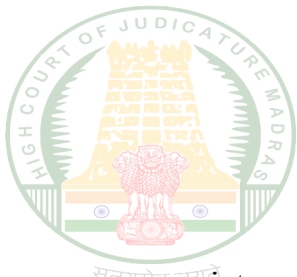
Secondary Grade Teacher

Panchayat Union Padur Parantapalli

Bargur Union, Krishnagiri District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus to call for the the records of the second respondent herein in Na.Ka.No.3684/Aa1/2015, dated 24.11.2015 and quash the same and consequently direct the second respondent to consider the petitioner Diploma in Teacher Education as having been granted as on 01.08.1994 and the employment exchange seniority as having been registered on the date which the petitioner's junior (the third respondent herein) got



W.P.No.5769 of 2016

registered and accordingly fix the seniority of the petitioner on par with the third respondent and consequently extend the old pension scheme to the petitioner within a time frame to be fixed by this Court.

For Petitioner : Ms.S.Suneetha

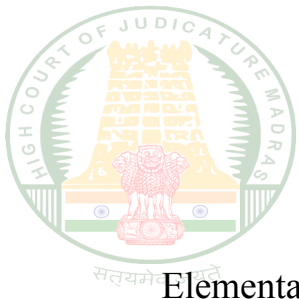
For Respondents : Mr.R.Neelankandan,
Additional Advocate General
Assisted by Mr.T.M.Rajangam
Government Advocate (for R1 & R2)

R3- No appearance

ORDER

This Writ Petition has been filed to call for the the records of the second respondent herein in Na.Ka.No.3684/Aa1/2015, dated 24.11.2015 and quash the same and consequently direct the second respondent to fix the seniority of the petitioner on par with the third respondent and consequently extend the old pension scheme to the petitioner.

2.The Petitioner was initially appointed as Junior Secondary Grade Teacher on consolidated pay of Rs.3000/- per month on 24.11.2004 in Elementary Education Department under the control of District Elementary Educational Officer, Krishnagiri. She joined duty in Panchayat Union



W.P.No.5769 of 2016

WEB COPY

Elementary School, Jinjampatti in Bargur Union. She was brought into regular time scale on the forenoon of 1.6.2006. Her services were regularized on the same day. Her probation was declared on the afternoon of 31.05.2008. She had acquired her academic Higher Secondary Education in March 1990.

2(i).Thereafter she acquired the professional Diploma in Teacher Education in July 1993, and the same diploma for the 2nd time in August 2002. Her Diploma in Teacher Education Certificate and mark sheets were issued to her on 28.5.2002 by the Secretary, Directorate of Government Examinations, Chennai vide letter No. 240770/C1/2002 dated 28.5.2002 belatedly, since the Rosammal Teacher Training Institute, Tuticorin, in which the petitioner completed the Diploma in Teacher Education Course, is not having the continuance of recognition during her study period. As per Government Letter No.57/School Education Dept., dated 6.5.2002, the above Diploma in Teacher Education Certificate was issued to her in later date on 28.5.2002.

2(ii).While she was in the position of not receiving the Diploma in Teacher Education Course Mark sheets and Diploma certificate studied in



W.P.No.5769 of 2016

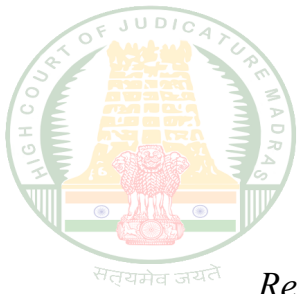
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Rosammal Teacher Training Institute, Tuticorin, she continued her Diploma in Teacher Education Course for the 2nd time in Government Teacher Training Institute for Women in Coimbatore from 7.11.2000 to 12.11.2002, and obtained certificate in August 2002. After completion of the course the petitioner received the 1st passed DTE certificate on 28.5.2002 and she registered her Diploma in Teacher Education Certificate in District Employment Exchange, Krishnagiri with Registration No.W5404/2002 on 22.7.2002, seeking Secondary Grade Teacher appointment.

3.Heard the learned counsel appearing on either sides and perused the available records.

4.The learned Additional Advocate General drew attention of this Court to para No.5 of the counter affidavit filed by the Respondent, which reads as follows:

“Whereas Vijaya, the 3rd Respondent herein, (person compared by the writ petitioner as her junior in studying in DTE course) had registered her Diploma in Teacher Education Certificate in District Employment Exchange, Krishnagiri on 20.03.2001 with



W.P.No.5769 of 2016

WEB COPY

Registration No. W651/2000 seeking appointment for the post of Secondary Grade Teacher (Copy enclosed) and therefore she got appointment as Secondary Grade Teacher with effect from 27 August 2001.”

Admittedly, the private respondent has registered at District Employment Exchange, Krishnagiri on 20.03.2001, whereas the Petitioner has registered with the District Employment Exchange, Krishnagiri on 22.07.2002 and therefore, I find that the petitioner cannot claim seniority over the private respondent/3rd respondent.

5.Initially the Petitioner appears to have studied in the unrecognized Institute by name Rosammal Teacher Training Institute, Tuticorin, subsequently, the same was recognized. The said fact cannot put the petitioner's seniority before the third respondent for the simple reason that, she registered her qualification before the District Employment Exchange, Krishnagiri after the third respondent. Therefore, the third respondent having registered before the District Employment Exchange, Krishnagiri on 20.03.2001, is the senior and hence, the Petitioner is Junior to Vijaya/3rd respondent as per the date of registration and she could not get appointment as



W.P.No.5769 of 2016

WEB COPY

Secondary Grade Teacher prior to Vijaya, even though she acquired Diploma in Teacher Education prior to Vijaya/3rd Respondent.

6.In view of the above facts and circumstances, I find that the date of registration with the District Employment Exchange is being the criteria to fix the seniority and the petitioner cannot claim any seniority over the person, who has already registered in the District Employment Exchange and hence, the Writ Petition itself is misconceived. Accordingly, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

06.03.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking Order/Non-Speaking Order

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W.P.No.5769 of 2016

WEB COPY

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DPI Campus
College Road, Chennai 600 006

2.The District Elementary Educational Officer
Krishnagiri, Krishnagiri District



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W.P.No.5769 of 2016

RMT.TEEKAA RAMAN.J,

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