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W.P.No.20885 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2025

CORAM

THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

W.P.No.20885 of 2025

and

W.M.P.Nos.23605, 23607 & 23609 of 2025

1. Sathyapriya P.S
2. Dhaslim Jameela Banu A
3. Sasikala A
4. Mary Stella R
5. Gurupriya J
6. Hasina Begum S
7. Saranya T
8. Geethalavanya M
9. Hemamalini T
10. Vidhya S
11. Yuvarani J
12. Dhaarani A
13. Dharani A
14. Dharmalakshmi S
15. Hemavathi J
16. Elizabeth Jayaseeli S
17. Sathiyapriya S
18. Annavizhi J
19. Shenbagam S
20. Subaitha Yasmjin M
21. Thaiba Banu A
22. Abirami R
23. Ramesh. S
24. Kamailal Beevi S

... Petitioners



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W.P.No.20885 of 2022



Vs.

1. Teacher Recruitment Board,
Rep. by its Chairman,
Puratchi Thalaivar Dr.M.G.R. Centenary Building,
Perasiriyar Anbazhagan Kalvi Valagam,
College Road,
Chennai 600 006.
 2. Tamil Nadu State Council for High Education,
Rep.by its Vice Chairman, Lady Willingdon College Campus,
Kamarajar Salai,
Chennai -600 005.
 3. The Director,
Directorate of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006.
 4. Department of School Education,
Rep.by its Secretary,
Fort ST. George,
Chennai 600 009.
 5. National Council for Teacher Education,
G-7, Sector 10, Dwarka, Near Metro Station,
New Delhi- 110 075.
 6. National Institute of Open Schooling,
Regional Centre,
Lady Wellington Campus,
Triplicane, Chennai 600 005.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for an issuance of writ of certiorarified mandamus, call for the



W.P.No.20885 of 2

records of list of provisionally selected candidates for direct recruitment for the post of secondary grade teachers 2024 published on 31.05.2025 by the first respondent and quash the withheld status alone of the petitioners for want of equivalence G.O. and further direct the first respondent to appoint the petitioners for the post of secondary grade teachers - 2024 pursuant to notification No. 1 of 2024 dated 09.02.2024 without insisting for Equivalence G.O.

For Petitioners	: Mr.Dhana Aravindh Balaji
For R1	: Mr.R.Neelakandan, AAG assisted by Mr.R.Siddharth Standing Counsel
For R2	: Mr.C.Jayaprakash Government Advocate
For R3 & R4	: Mr.S.Mythreye Chandru Special Government Pleader
For R5	: Mr.J.Harikrishnan Standing Counsel

ORDER

The writ petition has been filed to call for the records of list of provisionally selected candidates for direct recruitment for the post of secondary grade teachers 2024 published on 31.05.2025 by the first respondent and quash the withheld status alone of the petitioners for want of



W.P.No.20885 of 2

equivalence G.O. and further direct the first respondent to appoint the petitioners to the post of secondary grade teachers - 2024 pursuant to notification No. 1 of 2024 dated 09.02.2024 without insisting on an Equivalence G.O.

2. The case of the petitioners is that they are qualified teachers who completed their National Council for Teacher Education (NCTE)-recognized Diploma in Elementary Education (D.El.Ed.) course through National Institute of Open Schooling (NIOS) under the Sarva Shiksha Abhiyan scheme and cleared Tamil Nadu Teacher Eligibility Test Paper I. They applied for Secondary Grade Teacher posts under Notification No. 01/2024 issued by the first respondent, and their applications were accepted. However, during certificate verification in May 2025, they were suddenly asked to produce an equivalence certificate for their NIOS D.El.Ed., which was not mentioned as a requirement in the recruitment notification.

3. Despite NCTE recognition and a clarification from the TRB's own Equivalence Committee that no equivalence is needed, their selection was withheld in the provisional list published on 31.05.2025 for want of a



W.P.No.20885 of 2

Government Order on equivalence. An expert committee is now considering this issue. Hence, the petitioners filed the present writ petition.

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4. The learned counsel appearing for the petitioner would further submit that, in pursuance of the notification No.01/2024 dated 09.02.2024, the petitioner had applied for the post of Secondary Grade Teacher in the year 2024. According to the notification, the required qualification is as follows:

“B. Educational Qualification (As on the date of Notification):

No Candidates shall be eligible for appointment to the post of Secondary Grade Teacher, unless he/she possesses the minimum qualification as mentioned below:

(a) Higher Secondary (or its equivalent) with at least 50% marks and 2-year Diploma in Elementary Education (by whatever name known);

(or)

Higher Secondary (or its equivalent) with at least 45% marks and 2-year Diploma in Elementary Education (by whatever name known) in accordance with the NCTE (Recognition Norms and Procedure), Regulations, 2002,

(or)

Higher Secondary (or its equivalent) with at least 50% marks and 4-year Bachelor of Elementary Education (B.El.Ed.);

(or)

Higher Secondary (or its equivalent) with at least 50% marks and 2-year Diploma in Education (Special



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W.P.No.20885 of 20



Education);

(or)

*Graduation and 2-year Diploma in Elementary Education
(by whatever name known);*

And

*(b) Passed in the Tamil Nadu Teacher Eligibility Test
(TNTET) Paper – 1*

*Provided that a person with Diploma in Education
(Special Education) qualification shall undergo, after
appointment, an NCTE recognized 6 months special
programme in Elementary Education.*

*As per Part III Section 1(b) of Special Rules for the
Tamil Nadu Elementary Educational Subordinate Service,
Section 48-A Annexure (Referred to in Rule 6 (b) (i)) T.N.
Government Gazette No.36, Date.30.01.2020 and
[G.O.(Ms). No.12, School Education, EE1(1), 30.01.2020]*

*The Candidates not having prescribed qualifications, as on
the date of notification shall not be eligible to apply for the
examination. The candidates should satisfy themselves
about their eligibility criteria before applying. All
qualifying certificates should have been obtained on or
before the last date for submission of filled in Online
application announced in the recruitment notification.*

***Note:** No person shall be eligible for appointment to
the posts unless he/she possesses the qualification as
prescribed by the National Council for Teacher Education
(NCTE) Regulations from time to time."*

5. He further submits that he has got diploma in Elementary Education through National Institute of Open Schooling. It is the submission of the learned counsel for the petitioner that the diploma granted by the National Institute of Open Schooling is in consonances with the qualification prescribed by the first respondent and the learned counsel would also invite



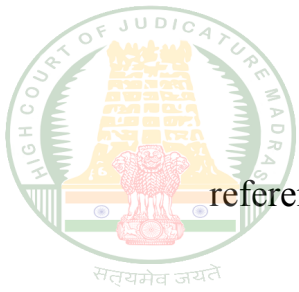
W.P.No.20885 of 21

WEB COPY

this Court in respect of the letter dated 06.01.2021 issued by the National Council for Teacher Education, wherein it was informed to all the State Government to consider the Diploma course obtained from National Institute of Open Schooling (NIOS) to apply for the recruitment in respect of the elementary education. However, it is the submission of the learned counsel for the petitioner that result were declared requiring them to produce the equivalence G.O.

6. The learned counsel appearing for the petitioner submits that they were permitted to apply for the post, but only at the time of announcing the selected candidates, they were asked to produce such an equivalence certificate. In view of the letter dated 06.01.2021, it is submitted that the diploma obtained by them is equivalent to the qualification referred to in the notification. Therefore, the petitioner prays to allow the writ petition.

7. At this juncture, the learned Additional Advocate General appearing for the first respondent would invite the attention of this Court regarding the letter addressed by the Tamil Nadu State Council for Higher Education to the Chairman, Teachers Recruitment Board, dated 03.06.2025. For ready



WEB COPY

W.P.No.20885 of 2



reference, I deem it appropriate to extract the content of the said letter:-

“Various petitions have been received seeking equivalence for Diploma in Elementary Education offered by National Institute of Open Schooling recognised by National Council for Teacher Education whether as equivalent to Diploma in Elementary Education for the post of Secondary Grade Teacher.

The petitioners are provisionally selected for the post of Secondary Grade Teachers through Teachers Recruitment Board vide Notification No.01/2024, dated 09.02.2024. The Petitioners are being withheld, as need of Equivalence Government Orders.

In this regard, the Tamil Nadu State Council for Higher Education has proposed to conduct Subject Experts meeting to obtain recommendations on equivalence for Diploma in Elementary Education offered by National Institute of Open Schooling recognised by National Council for Teacher Education whether as equivalent to Diploma in Elementary Education for the post of Secondary Grade Teacher. The recommendations of the Subject Experts will be placed in the ensuing Equivalence Committee Meeting under the Chairmanship of the Secretary to Government, Higher Education Department for issuing necessary Government Orders.

Since the results have been withheld, we will try to expedite as quickly as possible.”

8. In the above letter, the Tamil Nadu State Council for Higher Education, which is the appropriate authority to issue equivalence certificates, had informed the Chairman, Teachers Recruitment Board, that they would convene a meeting to consider whether the Diploma in Elementary Education granted by the National Institute of Open Schooling is recognized by the National Council for Teacher Education.



W.P.No.20885 of 2



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9. In view of the above letter, without going into the merits of the case, this Court deems it appropriate to direct the second respondent - Tamil Nadu State Council for Higher Education to pass orders in pursuance of their letter dated 03.06.2025, whether the Diploma certificate issued by the National Institute of Open Schooling, in accordance with the NCTE (Recognition Norms and Procedure) Regulations, 2002 is equivalence to 2 years Diploma in Elementary Education. Accordingly, the second respondent - the Tamil Nadu State Council for Higher Education is directed to take a decision on its own merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

10. With the above directions, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

18.06.2025

ns1

Index:Yes/No

Speaking order/Non-speaking order

Neutral Citation:Yes/No



WEB COPY

To

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Teacher Recruitment Board,
Puratchi Thalaivar Dr.M.G.R. Centenary Building,
Perasiriyar Anbazhagan Kalvi Valagam,
College Road, Chennai 600 006.
2. The Vice Chairman,
Tamil Nadu State Council for High Education,
Lady Willingdon College Campus,
Kamarajar Salai, Chennai -600 005.
3. The Director,
Directorate of Elementary Education,
DPI Campus, College Road,
Chennai - 600 006.
4. The Secretary,
Department of School Education,
Fort ST. George, Chennai 600 009.
5. National Council for Teacher Education,
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W.P.No.20885 of 2

C.KUMARAPPAN, J.

ns1

W.P.No.20885 of 2025

18.06.2025