



W.A.No.2091 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2025

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CORAM :

**THE HONOURABLE MR. JUSTICE R.SURESH KUMAR
AND
THE HONOURABLE MR. JUSTICE HEMANT CHANDANGOUDAR**

**W.A.No.2091 of 2025 and
C.M.P.Nos.15871, 15872 & 15875 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



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15 Hemavathi.J

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16 Elizabeth Jayaseeli.S

17 SathiyaPriya.S

18 Annavizhi.J

19 Shenbagam.S

20 Subaitha Yasmin.M

21 Thaiba Banu.A

22 Abirami.R

23 Ramesh.S

24 Kamilal Beevi.S

... Appellants

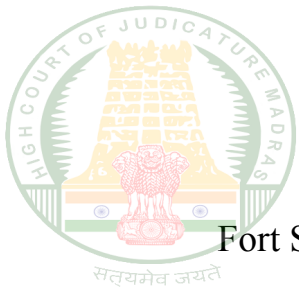
Vs.

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 Higher 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,



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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 Appeal filed under Clause 15 of Letters Patent to set aside the order passed by this Court in WP No.20885 of 2025, dated 18.06.2025.

For Appellants	: Ms.Kavitha Nithyanandan
For R1 & R2	: Mr.R.Neelakandan, AAG Assisted by Mr.R.Siddarth, Standing Counsel for TRB
For R3 & R4	: Mr.J.C.Durairaj, Additional Government Pleader
For R5	: Mr.J.Harikrishna
For R6	: Mr.r.Thirunavukarasu

J U D G M E N T

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

This Intra Court Appeal has been directed against the order passed by the Writ Court dated 18.06.2025, made in W.P. No.20885 of 2025.

2.That the appellants were the petitioners who are all Diploma holders called Diploma in Elementary Education, which was awarded by the Institute



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called National Institute of Open Schooling under the Sarva Shiksha Abhiyan

WEB COPY scheme and they have cleared the Tamil Nadu Teachers Eligibility Test paper - I also. The first respondent, namely, the Teacher Recruitment Board, the recruiting agency, issued a notification in Notification No.1 of 2024, dated 09.02.2024, whereby, called applications from the eligible candidates to fill up the post of Secondary Grade Teachers in the year 2024, which are vacant in the State of Tamil Nadu.

3.In the said notification, the qualification prescribed is as extracted by the learned Judge through the impugned order in paragraph No.4. It is to be noted that one of the required qualifications to hold the post of Secondary Grade Teacher is Higher Secondary (or its equivalent) with atleast 45% marks and two year Diploma in Elementary Education (by whatever name known) in accordance with the NCTE (Recognition Norms and Procedure), Regulations, 2002.

4.All these appellants/writ petitioners since have completed the two years Diploma Course or 18 months Diploma Course called Diploma in Elementary Education (in short DEEd) from the National Institute of Open Schooling (in short NIOS).



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5.The said NIOS is recognized by the National Council for Teachers Education (in short NCTE) under its regulations. Therefore, the Diploma awarded by the NIOS is a valid Diploma for all practical purposes, including for the purpose of holding the post of Teacher i.e.,Secondary Grade Teacher.

6.That is the reason why when the qualifications have been noted or prescribed by the authorities concerned as reflected in the Notification No.1 of 2024, dated 09.02.2024, issued by the TRB, it has also mentioned as one of the qualifications that along with Higher Secondary course with 45% marks, a candidate must have a two year Diploma in Elementary Education (by whatever name known) in accordance with the NCTE (Recognition Norms and Procedure), Regulations, 2002. All these appellants/writ petitioners have fulfilled this qualifications.

7.When that being so, after having completing the selection process, before announcing the final selection list or results, the results of the present petitioners/appellants seems to have been withheld. Therefore, at that juncture only they had approached the writ Court by filing the writ petition seeking for a writ of Certiorarified Mandamus to call for the provisionally selected candidates



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list and to quash the same or to publish the entire list, including the withheld results of the petitioners/appellants and to further direct the authorities concerned to appoint them in the post of Secondary Grade Teacher 2024, pursuant to the Notification No.1 of 2024 dated 09.02.2024,

8.It is further to be noted that after having withheld the results of the petitioners/appellants, the TRB has sought for Equivalence Certificate or the Government Order issued in this regard treating the qualification of DEEd held by these people as equivalent to the Diploma in Teacher Education Course or DTE diploma issued by the Directorate of Teachers Education, Research and Training, Government of Tamil Nadu.

9.It is only in this context, the matter has been referred to the Equivalence Committee by the Tamil Nadu Higher Education Council and when the issue was pending before the Equivalence Committee, the learned Writ Court, having taken note of that information based on the letter issued by the Tamil Nadu State Council for Higher Education, dated 03.06.2025 written to the first respondent TRB, has given a direction in the order impugned to the authorities concerned i.e.,the Equivalence Committee to go ahead with the verification of the equivalence of the Diploma held by these petitioners/appellants and pass orders



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within a period of four weeks. That is how the writ petition came to be disposed of through the impugned order.

10. Aggrieved over the said order and in support of this writ appeal Ms. Kavitha Nithyanandan, learned counsel appearing for the appellants would canvass the point that the Diploma secured by the petitioners/appellants from NIOS is a valid Diploma as the same was recognized by the NCTE.

11. The Diploma secured by these petitioners/appellants is one of the qualifications mentioned by the first respondent TRB in the very notification itself. When that being so, it ought not to have been referred to any Equivalence Committee and no equivalent Government Order ought to have been asked for from the petitioners/appellants.

12. In this context, the arguments advanced by the learned counsel for the appellants that as per the decision of the Hon'ble Supreme Court, those Diplomas given by NIOS also are recognized Diplomas for the purpose of employment opportunity of becoming a Teacher. Even to that extent, the issue has not been gone into in detail, since they have simply referred the matter to Equivalence Committee, and the learned Writ Court was carried by the said



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letter issued by the Tamil Nadu State Council for Higher Education, dated 03.06.2025. Therefore, the writ petition was disposed by merely giving a direction to the Equivalence Committee to go ahead with the process of verifying the equivalence within a period of four weeks that may be an erroneous approach, the learned counsel contended.

13.On the other hand, Mr.R.Neelakandan, learned Additional Advocate General, Assisted by Mr.R.Siddarth, learned Standing Counsel for TRB, on instructions would submit that the Equivalence Committee, in its 34th Equivalence Committee meeting held on 07.08.2025, has decided *inter alia* various subjects for equivalence, including the subject which is in issue now, wherein, item No.29 of the proceedings issued in this regard by the Equivalence Committee which has been communicated to the TRB, vide letter of the Government, dated 08.09.2025 that the DEIEd offered by NIOS recognized by the NCTE is whether equivalent for the purpose of appointment to the post of Secondary Grade Teachers in the Tamil Nadu Elementary Education Subordinate Service, the Committee has come to the conclusion that it is not equivalent.

14.However, in the Equivalence Committee's recommendation column,



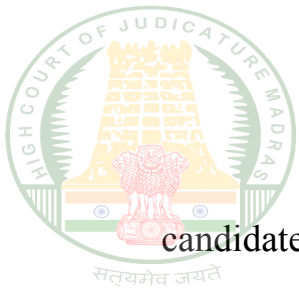
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they have mentioned that since the issue is pending before the Court, the Court's

verdict is awaited. That has also been mentioned as a recommendation of the Equivalence Committee. This has been pointed out by the learned Additional Advocate General and he would submit that since the Equivalence Committee has sent the said recommendations, taking the BOS recommendation as if that it is not equivalent, the TRB is not in a position to come forward to release the results, however the same has been released by virtue of an interim order passed already and that is the reason why the TRB is also not in a position to send the selection list, including the petitioners/appellants for the purpose of giving appointment to them.

15.We have considered the said rival submissions made by the learned counsel appearing for both sides and perused the materials placed before this Court.

16.As has been pointed out by the learned counsel appearing for the appellants, the TRB, being the recruiting agency, had issued Notification No.1 of 2024, wherein, the education qualification has been clearly fixed and demarcated. Number of such qualification either of category has been fixed by the Teacher Recruitment Board, where, one of the main qualifications is that the



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candidate must have a Higher Secondary (or its equivalent) with atleast 45% marks and two year Diploma in Elementary Education (by whatever name known) in accordance with the NCTE (Recognition Norms and Procedure), Regulations, 2002.

17.Here in the case in hand, as we discussed herein above, the appellants/petitioners are holding the DEEd certification issued by the NIOS under the SSA scheme. They also cleared the Tamil Nadu Teachers Eligibility Test paper - I of the Government of Tamil Nadu.

18.The NIOS are recognized institutions of NCTE under the NCTE (Recognition Norms and Procedure), Regulations, 2002.

19.When that being so, even in accordance with the qualification that has been prescribed by the TRB, since these appellants/petitioners are holding the qualification of DEEd, the question of referring the matter to Equivalence Committee does not arise. This in fact has been correctly pointed out by the Tamil Nadu State Council for Higher Education, in its letter dated 19.05.2025 and stated the following:

Normally equivalence is necessary only when there is a difference in nomenclature. In this case, both are Diploma in Elementary Education and are



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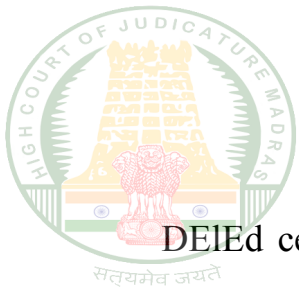


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approved by National Council for Teacher Education. The issue of equivalence does not arrive. Moreover the Diploma in Elementary Education offered by National Institute of Open Schooling recognized by National Council for Teacher Education is the minimum required qualification for the post of Secondary Grade Teacher as per Teacher Recruitment Board and therefore there is no necessity to obtain equivalence.

20.However, in view of the insistence said to have been made by the TRB to get a Equivalence Certificate or Government Order to be issued in this regard, the matter seems to have been referred by the Higher Education Council to the Equivalence Committee and before the Equivalence Committee, in its 34th Equivalence Committee meeting among various subjects, this subject has also been taken into account, where, even though the BOS recommendations have been made stating the Diploma is not equivalent, but the same has not been accepted by the Equivalence Committee and they have made a remark in their recommendation column that it awaits the Verdict of the Court.

21.Therefore, even the Equivalence Committee has its own doubt as to the view expressed by the BOS recommendations in view of the fact that the



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DEIED certificate issued by the NIOS is a recognized qualification as per the NCTE, which is the National Body for maintaining the standards of Teacher Education through out the country created by an Act of parliament called, National Council for Teachers Education Act.

22. When that being the position, the unnecessary referral that has been made to the Equivalence Committee to get the Equivalence Certificate for DEIED held by these petitioners/appellants is an unwanted exercise and therefore, that kind of exercise need not be undertaken as has been directed by the learned Judge through the impugned order.

23. Moreover, once the notification has been issued by the TRB, it is a settled legal proposition that, it would bind not only the applicants who made applications by accepting the contents of the notification, but also the TRB who issued the notification and it cannot take any deviated stand during the process of the selection and therefore, the very requirement of getting a Equivalent Government Order as directed by the TRB by these appellants/petitioners itself is in violation of the notification and therefore, to that extent also, we are of the view that such a requirement made by the TRB seeking these appellants/petitioners to get a equivalent Government Order is absolutely not



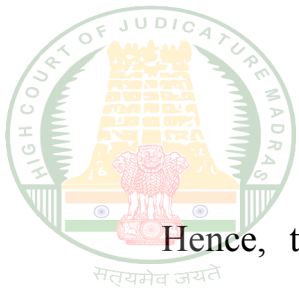
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24.In that view of the matter, we are inclined to dispose of this writ appeal with the following order,

(i) that the appellants/petitioners, if they are otherwise eligible, to be considered within the zone of consideration based on their performance in the selection process, are entitled to get their results declared and if they clear the selection process and become eligible to be considered for appointment, their names be sponsored by the TRB to the appointing authority.

(ii) Since it is brought to our notice by the learned Additional Advocate General appearing for TRB that the results have been withheld only for want of Equivalence Certificate, in view of the decision that has been taken in the present order, such a equivalence Government Order or a certificate is no more required for the qualification of DEEd held by the present petitioners/appellants, who secured such a certification of Diploma from the NIOS recognized by the NCTE.

(iii) In view of the same, all the petitioners/appellants are eligible and entitled to seek for appointment to the post of Secondary Grade Teachers.



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Hence, their names if not already sponsored by the TRB, be sponsored

immediately to the appointing authority within a period of two (2) weeks from the date of receipt of a copy of this order.

(iv) On receipt of the sponsoring of the names of the petitioners/appellants, the appointing authority shall issue appointment order to these petitioners/appellants within a period of two (2) weeks thereafter.

(v) With all these directions, the writ appeal is ordered accordingly. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

(R.S.K., J.) (H.C., J.)
07.10.2025

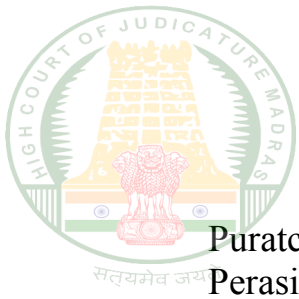
Note: Registry is directed to issue the order copy on 14.10.2025.

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
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To

1 Teacher Recruitment Board,
Rep by its Chairman,

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R.SURESH KUMAR, J.
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