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W.P.No.30715 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2025

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.30715 of 2024
and W.M.P.Nos.33331 of 2024 & 16377 of 2025

D.Dhanalakshmi

... Petitioner

Vs.

1.The Government of Tamil Nadu,
By its Secretary,
Higher Education Department,
Fort St.George, Chennai – 600 009.

2.The Teacher Recruitment Board,
By its Member Secretary,
DPI Campus, College Road,
Chennai – 600 006.

3.The Director of Collegiate Education,
E.V.K.Sampath Building,
College Road,
Chennai – 600 006.

... Respondents

PRAYER: Writ Petitions filed under Article 226 of Constitution of India, for issuance of Writ of Certiorarified Mandamus calling for all the records relating to the impugned order Na.Ka.No.6871/E3/St/2008 dated 03.11.2023 and the subsequent impugned order Na.Ka.No.6871/E3/St/2008 dated 22.12.2023 passed by the second respondent herein, and to quash the same, and consequently to direct the respondents herein to consider the petitioner for appointment as a full



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time lecturer, in adherence to the principles of the Rights of the Persons with Disabilities Act, 2016.

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For Petitioners : Mr.J.Thilagaraj

For Respondents 1 & 3 : Mr.M.R.Gokul Krishnan,
Additional Government Pleader

For Respondent 2 : Mr.R.Siddharth

ORDER

This writ petition is filed to call for all the records relating to the impugned order Na.Ka.No.6871/E3/St/2008 dated 03.11.2023 and the subsequent impugned order Na.Ka.No.6871/E3/St/2008 dated 22.12.2023 passed by the second respondent herein, and to quash the same, and consequently to direct the respondents herein to consider the petitioner for appointment as a full time lecturer, in adherence to the principles of the Rights of the Persons with Disabilities Act, 2016.

2. Learned counsel for the petitioner would submit that the petitioner is a physically disabled woman with 60% of locomotor disability and belongs to a backward community. She has a Master Degree in Science in Foods and Nutrition, M.Ed, M.Phil and PG Diploma in Computer applications and also obtained Ph.D from Mother Theresa Women's University in the year of 2012. From the year 2005, the



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petitioner has been working as a Guest lecturer in the Government Arts & Science College for Women, Barugur, Krishnagiri District, on consolidated salary. In the year of 2007, the Teachers Recruitment Board intended to recruit 1058 lecturers. Being qualified, the petitioner applied for the said post and she was called for certificate verification. But she did not receive any further intimation from the Teachers Recruitment Board. Therefore, in this regard, she sent a representation dated 20.04.2008 to the Teachers Recruitment Board. Since it was not considered, she filed a writ petition in W.P.No.17867 of 2008.

2.1. This Court by its order dated 26.08.2022 disposed the writ petition and directed the Teachers Recruitment Board to consider the petitioner's representation dated 20.04.2008 under the provisions of Section 34 of the Rights of Persons with Disabilities Act, 2016. However, the same was not complied. Hence, the petitioner filed contempt petition No.841 of 2023, which was disposed by recording the statement of the Government Pleader that the representation will be considered and appropriate orders will be passed. However, the second respondent rejected the said representation by passing the impugned order dated 22.12.2023. Challenging the same, the petitioner has come forward with the present writ petition.



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3. Learned counsel for the petitioner would submit that admittedly the petitioner is a physically disabled person and has been working as Guest Lecturer, since 2005. The petitioner has made an application for recruitment to the post of Lecturer under BC General Turn. However, without giving priority to the disabled person, the second respondent rejected the candidature of the petitioner, which is not sustainable one. Accordingly, he prays for appropriate orders.

4. Learned Standing Counsel appearing for the second respondent has filed a detailed counter and submitted that the Teachers Recruitment Board invited applications for filling up 1020 lecturers in all the Government Colleges. Accordingly, the petitioner has applied for the said post in Home Science under BC (Ortho) communal turn and she was also called for certificate verification on 20.07.2007. At the time of Certificate Verification, she was awarded 02 marks for Teaching experience. The final selection of provisionally selected candidates was made based on the weightage marks obtained in the Certificate Verification as well as Interview. Since the petitioner has secured only 02 marks in the certificate verification, she was not called for an interview. Accordingly, she was not selected to post of Lecturer in Home Science.



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5. Learned Standing Counsel appearing for the second respondent would further submit that pursuant thereto, the petitioner made a representation dated 20.04.2008 to the Teachers Recruitment Board requesting for a post of Lecturer under the PWD (Persons with Disability) category in the vacant place, where she was presently working (i.e) Government College of Arts & Science. Accordingly, the Board has considered the petitioner's representation dated 20.04.2008 and issued proceedings vide R.C.No.6871/E3/St/2008, dated 03.11.2023, stating that the petitioner has secured only 02 marks in certificate verification and the minimum eligible cut-off marks to call for Interview to BC (G) & BC (W) are 21 and 16 marks, respectively. Since the petitioner has not reached the zone of consideration, her candidature was not considered for the post of Lecturer.

6. Heard the learned counsel on either side and perused the materials available on record.

7. The facts of the present case is not in dispute. The Teachers Recruitment Board issued a notification for recruitment to the post of 1020 lecturers in all Government College. As per the notification, for the

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subject Home Science, four vacancies were notified and the vacancies are

GT (G)-1, BC (G)-1, MBC (G)-1, SC (G)-1. Admittedly, the petitioner applied for the post of Lecturer in Home Science under BC ortho communal turn and she was also called for certificate verification on 20.07.2007. At the time of Certificate Verification, she was awarded 02 marks for Teaching experience, since she was employed as guest lecturer from the year 2005. In the certificate verification, the minimum cut off marks for BC (General) and BC (Women) are 21 and 16 respectively. But, the petitioner herein has secured only 02 marks in the Certificate Verification. Since, she has not reached the zone of consideration, she was not called for an interview and not selected for the post of Lecturer.

8. The claim of the petitioner is that she entitled for reservation under physically disabled category, which is impermissible, since the board had notified only four vacancies in the subject Home Science i.e., GT (G)-1, BC (G)-1, MBC (G)-1, SC (G)-1 and it has not notified any vacancy under reserved category. If at all the petitioner has any grievance, she has to file a writ petition by challenging the notification in the initial stage itself. However, in the present case on hand, the petitioner participated in the said recruitment under BC Ortho communal turn and now, claiming the reservation under the physical disabled



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category is not sustainable one. Hence, the prayer sought by the petitioner cannot be granted.

Accordingly, the writ petition stands dismissed. No costs.

Consequently, connected miscellaneous petitions are closed.

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Index: Yes/No

Internet: Yes/No

Speaking Order/Non-speaking order

To

- 1.The Secretary,
Higher Education Department,
Fort St.George, Chennai – 600 009.
- 2.The Member Secretary,
The Teacher Recruitment Board,
DPI Campus, College Road,
Chennai – 600 006.
- 3.The Director of Collegiate Education,
E.V.K.Sampath Building,
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M.DHANDAPANI, J.

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