



WEB COPY



W.A.No.802 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No.802 of 2025

and

C.M.P.No.6957 of 2025

The Teachers Recruitment Board,
Rep. by Member Secretary,
College Road, Chennai - 6.

... Appellant

Vs.

1.A.Maheshwari

2.The Government of Tamil Nadu,
Rep. by Secretary to the Government,
School Education Department,
Fort St. George, Chennai - 9.

3.The Director of School Education,
College Road, Chennai - 6.

4.The Director of Elementary Education,
College Road, Chennai - 6.

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent, praying to set aside the order dated 20.11.2023 in W.P.No.25271 of 2017.



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W.A.No.802 of 2022

For Appellant : Mr.R.Neelakandan,
Additional Advocate General
assisted by Mr.R.Siddharth,
Additional Government Pleader

For Respondents : Mr.R.Saseetharan for R1

Mr.R.Neethi Perumal,
Government Advocate for R2 to R4

J U D G M E N T

(Judgment of the Court was delivered by ***R.SUBRAMANIAN, J.***)

The Teachers Recruitment Board is on appeal against the direction issued by the learned Single Judge to award higher weightage mark for the B.Ed., degree obtained by the respondent in the year 2015 and consider her for appointment on the basis of the weightage mark so awarded.

The facts that led to the filing of the Writ Petition are as follows:-

2. The 1st respondent who had obtained a B.Lit., degree had acquired Diploma in Teachers Education (D.T.Ed.,) and had also passed the Teachers Eligibility Test. Therefore, she became qualified to be appointed as BT Assistant in the Tamil language. Applications were invited by the Teachers Recruitment Board for recruitment of teachers in the year 2014. The 1st



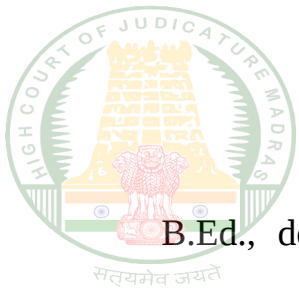
W.A.No.802 of 2022

respondent applied, but was not successful as she did not get the necessary cut off marks. In order to improve upon her qualification, the 1st respondent thereafter pursued B.Ed., and obtained the B.Ed., degree in 2015.

3. The Teachers Recruitment Board issued a notification on 07.03.2017 requiring the candidates who had cleared the Tamil Nadu Teachers Eligibility Test in the year 2012, 2013 and 2014, who had appeared for certificate verification for the previous selection held in 2014 and were un-successful to upload their details. The said notification was a composite notification issued for 286 current vacancies and 623 backlog vacancies.

4. The 1st respondent uploaded her certificates. Again she did not make the cut off marks. She found that the weightage was not given to the B.Ed., degree that was obtained by her in 2015. She therefore came before this Court seeking to quash the select list and for a direction to restore the weightage of 68.33 awarded to her in the provisional selection and consider her for appointment.

5. This claim of the respondent was stoutly resisted by the Teachers Recruitment Board contending that since the 1st respondent had obtained her



W.A.No.802 of 2022

B.Ed., degree after 2014 the same cannot be taken into account, as the recruitment process has commenced in 2014 itself and this was only a continuation of the earlier recruitment process.

6. The learned Single Judge refused to buy the argument of the Teachers Recruitment Board and allowed the writ petition.

7. We have heard Mr.R.Neelakandan, learned Additional Advocate General appearing for the appellant, Mr.R.Saseetharan, learned counsel appearing for the 1st respondent and Mr.R.Neethi Perumal, learned Government Advocate for the respondents 2 to 4.

8. Mr.R.Neelakandan, learned Additional Advocate General would vehemently contend that since B.Ed., qualification was obtained after the notification, the same cannot be considered for the purpose of this selection. He would also point out that the appellant Board had given the required weightage marks for the Diploma in Teachers Education (D.T.Ed.,) obtained by the 1st respondent prior to the earlier notification. According to Mr.R.Neelakandan this selection itself being one which is in continuation of the

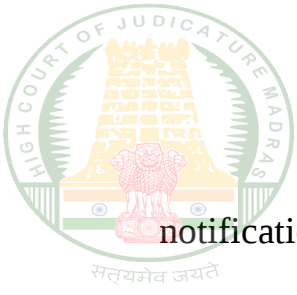


earlier selection, any qualification that is obtained after the cut off date in the

earlier selection cannot be taken into account or weightage marks cannot be given for qualification that is obtained subsequently.

9. Though the argument of the Additional Advocate General is very attractive, we do not think that we could accept the same. We find from the notification itself that it is not only for the backlog vacancies, but, it is also for 286 current vacancies. If the 1st respondent had applied for this 286 current vacancies, which arose in the year 2017, she would have been definitely entitled to weightage for the B.Ed., degree. The Teachers Recruitment Board cannot deny weightage marks for the degree obtained in 2015 by clubbing the current vacancies with the backlog vacancies, which arose in the year 2014.

10. Yet another factor which also militates against the submission of the learned Additional Advocate General is that the 1st respondent was qualified for appointment as BT Assistant in Tamil, as she had the requisite qualification even at the time when the original notification was made in the year 2014. She was un-successful and thereafter she had acquired a further qualification. To deny weightage for a further qualification which is acquired in the interregnum would be to show the door to a candidate who is more meritorious. The



W.A.No.802 of 2025

notification issued on 07.03.2017 does not state that any additional qualification obtained after the earlier notification will not be considered. In the absence of such specific provision, the stand of the Teachers Recruitment Board cannot be accepted.

11. Therefore, we do not find any merit in the appeal. The appeal fails and it is accordingly **dismissed**. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

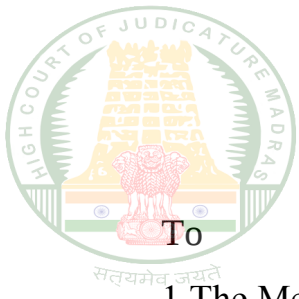
(R.S.M.,J.) (G.A.M.,J.)
25.03.2025

dsa

Index : No

Neutral Citation : No

Speaking order



W.A.No.802 of 2022

To

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