

W.P.(MD) Nos.16811 & 16812 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Reserved On : 06.08.2025

Pronounced On : 10.09.2025

CORAM:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

W.P. (MD) Nos.16811 & 16812 of 2018

and

W.M.P.(MD)No.14861 to 14864 of 2018

M.Palanisamy
S/o Muhiah
1/9, New Street,
Poolayurani, Vilampatti post
Sivakasi. ... Petitioner in W.P.(MD)No.16811 of 2018

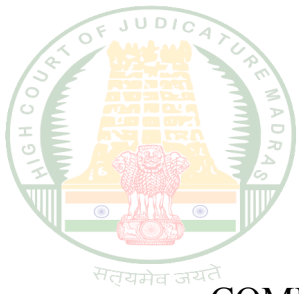
A.Anees Fathima
D/o Abdul Hassan
No.307, 77th Cross,
Dheeran Nagar,
Trichirapalli. ... Petitioner in W.P.(MD)No.16812 of 2018

Vs.

1.The Secretary,
Government of Tamilnadu,
School Education Department,
Fort St.George
Chennai- 600 009.

2.The Director of School Education,
College Road, Chennai - 600 006.

3.The Principal Secretary/Chairman,
Teachers Recruitment Board,
4th 11 Floor, E.V.K.Sampath Maligai,
College Road, Chennai - 600 006. ... Respondents in both W.Ps



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COMMON PRAYER in W.Ps.:

To issue a Writ of Certiorarified Mandamus or any other writ of direction in the nature of writ, relating with Phase II result dated 06.07.2018 published by the 3rd respondent relating with the post of Post Graduate Assistant Teachers in Commerce for the period 2016-17 and quash the same it is arbitrary and illegal and in consequence to direct the respondents to appoint the petitioner as the Post Graduate Assistant Teacher in Commerce, in the Government schools and corporation schools in pursuant to the certificate verification, held on 29.08.2017 and to pass such and further relieves and thus render justice.

COMMON PRAYER in WMP(MD)Nos.14861 & 14863 of 2018:

To dispense with the production of the original impugned selection list dated 06/07/2018 relating with the post of the Post Graduate Assistant Teacher in Commerce of 3rd respondent for the period 2016-17.

COMMON PRAYER in WMP(MD)Nos.14862 & 14864 of 2018:

To direct the respondents to keep one post vacant in commerce for the petitioner pending disposal of the writ petition.

(In both Writ Petitions)

APPEARANCE OF PARTIES:

For Petitioner : Mr.A.Logesh Kumar, Advocate
for Mr. R.Suriyanarayanan, Advocate



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For Respondents : MrJ.Ashok, AGP for R1 & R2

: Mr.T.Amjad Khan,
Government Advocate for R3

J U D G M E N T

Heard.

2. Since the relief sought in both writ petitions is similar, they were clubbed and heard together. When the matter was taken up on 30.07.2018, the Respondents entered appearance. The 3rd Respondent filed a counter affidavit 10.10.2018 in the first writ petition, and another on 10.10.2018 in the second writ petition.

3. In the counter affidavit filed in the first writ petition, it was stated that the cut-off mark for the Backward Class (General) category was 88, while the Petitioner had secured 86 marks. The Teachers Recruitment Board (TRB) had called all eligible candidates, including the Petitioner, for certificate verification on 29.08.2017. Since the last candidate selected under BC (General) had obtained 88 marks, the Petitioner was found ineligible. A second round of certificate verification



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was later conducted to fill vacancies in other departments, namely the Adi Dravidar welfare Department and the Backward Class Department, as well as in the Madras and Coimbatore Corporations. In this round also, the TRB called all remaining unselected candidates, including the Petitioner.

4. At that stage, one candidate, P.C. Biji, produced a teaching experience certificate, on the basis of which one additional mark was awarded, raising his final score to 88. It was therefore submitted that the Petitioner could not claim parity with that candidate. The posts of PG Assistant for the year 2016–2017, as notified, were duly filled, and consequently, the Petitioner, M. Palanisamy, was not eligible for selection.

5. A similar stand was taken in the second writ petition. For the Backward Class Muslim (General) category, the cut-off mark was 88, whereas the Petitioner had secured only 82 marks. Even during the second round of verification conducted for filling vacancies in other departments, the Petitioner was not found qualified. With respect to the seats reserved for disabled candidates, the submissions made in paragraphs 9 to 12 were as follows:



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“9. It is submitted that several candidates who belonged to Persons with Disability category filed writ petition before Hon’ble High court challenging the methodology adopted in the 4% reservation earmarked for Persons with disability category.

10. It is submitted that the Hon’ble High Court in order dated 07.08.2017 in W.P.No.13350/2017 has issued Interim orders not to fill 4% vacancies earmarked Persons with Disability category. Accordingly the Board reserved 4% vacancies for Persons with Disability categories unfilled pursuant to interim orders of Hon’ble Court.

Meanwhile one petitioner under Persons with Disability category Thiru.Manickaraj has filed W.P.(MD) No. 17649 of 2017 before Hon’ble Madurai Bench of Madras High Court stating that since he secured eligible marks in General Category, he ought to be considered under General Category even though he belongs to Persons with Disability category. The Hon’ble Madurai Bench of Madras High Court in order dated 20.09.2017 in W.P.(MD) No. 17649/2017 has directed the Board to select the petitioner for the post of Post Graduate Assistant (Botany) in General Category as he secured eligible marks.

11. It is submitted that pursuant to the orders of the Hon’ble Court the Board called all the candidates from Persons with Disability category who secured eligible marks in General Category for Certificate Verification.

12. It is submitted that when the provisional selection list was drawn one candidate in Persons with Disability category has secured 94 marks in Backward Class Muslim (General) turn. Therefore the above candidate was considered in one vacancy reserved for Backward Class Muslim General category on merits as he has secured higher eligible marks.

Since the petitioner has not scored eligible marks for provisional she was not considered for provisional selection



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in Backward Class Muslim (General) turn category.”

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6. In view of the above, the contentions advanced on behalf of the Petitioners are devoid of merit. Consequently, both writ petitions stand dismissed. All connected miscellaneous petitions are closed. No order as to costs.

10.09.2025

Index: Yes / No

Speaking Order / Non-speaking Order

Neutral Citation : Yes / No

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Copy to:

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Fort St.George
Chennai- 600 009.

2.The Director of School Education,
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3.The Principal Secretary/Chairman,
Teachers Recruitment Board,
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DR. A.D. MARIA CLETE, J.

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Pre-delivery Judgment made in
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