

W.P.(MD) No.22265 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Reserved On : 24.07.2025

Pronounced On : 14.08.2025

CORAM:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

W.P. (MD) No.22265 of 2017

and

W.M.P.(MD)No.18569 of 2017

A.C.Kumar,
1/151, West Street,
Sivagnanapuram,
Vilathikulam Taluk,
Tirunelveli District.

... Petitioner

Vs.

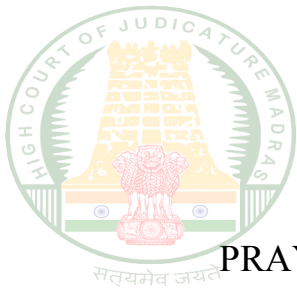
1. The Teachers Recruitment Board,
Rep. by its Chairman,
DPI Campus,
Chennai - 6.

2. The Director of School Education,
Chennai-6.

... Respondents

PRAYER in W.P.:

To issue a writ of Certiorarified Mandamus or any other appropriate Writ or Order or Direction in the nature of Writ, calling for the records pertaining to the order passed by the 1st respondent in his proceedings No. Nil dated 01.07.2017 and quash the same and direct the respondents to appoint the petitioner as a B.T.Assistant in English and pass such further or other orders as may deem fit and thus render justice.



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PRAYER in WMP:

WEB COPY To dispense with the production of the original impugned order passed by the 1st respondent in his proceedings No. Nil dated 01.07.2017 for the present.

APPEARANCE OF PARTIES:

For Petitioner : Mr.V.Panneer Selvam,
Mr.Vijay Kumar, Advocates

For Respondents : Mr.T.Amjad Khan
Government Advocate for R1 & R2

J U D G M E N T

Heard.

2. The Petitioner, in the present writ petition, seeks to quash the order dated 01.07.2017, whereby he was informed that he was not eligible for appointment to the post of B.T. Assistant (English) on the ground that he did not possess the requisite qualification at the time of writing the Teachers Eligibility Test. When the writ petition came up for admission on 07.12.2017, notice was taken on behalf of the Respondents. The 1st Respondent has also filed a counter affidavit, dated “Nil” February 2025.



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3. In paragraph 9 of the counter affidavit, the reason assigned for not selecting the Petitioner is stated as follows:—

“9. It is further submitted that since the Petitioner is found ineligible in Teacher Eligibility Test Paper II due to his B.A., English (One-Year Course) as Dual Degree at the time of submission of application, the Board has not considered the petitioner. He has further completed B.A.English (3 years course) in 2014 after passing TET – 2013 will not be considered for the further process. Hence, the writ petitioner was made ineligible as he did not acquire eligible qualification at the time of TET-2013 as per the Notification No. 03/2013 dated 22.05.2013.”

4. In support of their stand, the Respondents have relied upon the judgment of this Court in ***R. Thirunavukkarasu & Others v. State of Tamil Nadu*** reported in ***2012 (5) CTC 129 ; 2012 (4) LLN 370. Justice V. Ramasubramanian*** (as he then was), while allowing the case of the State, in paragraphs 82 and 83, held as follows:—

“82. It will be interesting to note that persons who acquire such one year degrees or open university degrees, do not get employment in the Private Sector. It is only in Government Service that such persons seek appointments, promotions, incentive increments etc., on the basis of such degrees. Therefore, these degrees are actually specially designed and tailor made by Universities for serving or aspiring Government Servants.



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83. It must be noted that the recruitment of teachers in schools, is being made by the Government, merely on the basis of seniority of registration in the Employment Exchanges, in the past few years. This itself has struck at the root of quality, in the matter of selection. If one year degrees are also recognised as equivalent to 3 year degrees, that would sound the death knell for the schools run by Government. Therefore, the stand taken by the Department in their communication dated 19.7.2012, not to recognize dual degrees, is a correct and appreciable step.”

5. The aforesaid judgment was subsequently referred to and followed by a Division Bench in ***D. Saravanane & Others v. The State of Tamil Nadu & Others in W.A. No. 816 of 2013, dated 05.06.2024.*** Speaking for the Bench, S.M. Subramaniam, J., in paragraph 5 of the order, held as follows:—

“5. Even in subsequent judgment, the High Court has reiterated that double degree acquired by the persons are not eligible for appointment to teaching posts. A Degree approved by the University Grants Commission (U.G.C) alone is to be taken into inconsideration for selection and appointment to the public posts. When such double degrees, acquired by the candidates, are not approved by the U.G.C., the decision taken by the second respondent, for rejecting the candidature of the petitioners, cannot be said to be infirm.”



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6. In view of the foregoing discussion, no case is made out to entertain the writ petition. Accordingly, the writ petition stands dismissed. The connected W.M.P. is also dismissed. There shall be no order as to costs.

14.08.2025

Index: Yes / No
Speaking Order / Non-speaking Order
Neutral Citation : Yes / No
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Copy to

1. The Chairman,
Teachers Recruitment Board,
DPI Campus,
Chennai - 6.
2. The Director of School Education,
Chennai-6.



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DR. A.D. MARIA CLETE, J.

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Pre-delivery Judgment made in
W.P. (MD) No.22265 of 2017

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