



WP.(MD)No.35049 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 11.12.2025

CORAM :

THE HON'BLE MR.JUSTICE B.PUGALENDHI

WP.(MD)No.35049 of 2025

and

WMP.(MD)Nos.27740, 27743 & 27744 of 2025

P.Dhanalakshmi

... Petitioner

Vs.

1.The State of Tamil Nadu
Rep.by its Secretary to Government,
Education Department,
Fort.St.George, Chennai-600 009.

2.The Teachers Recruitment Board,
Rep.by its Secretary,
3rd and 4th Floor,
Puratchi Thalaivar Dr.M.G.R. Centenary
Building, Perairiyar Anbazhagan Kalvi Valagam,
College Road,
Nungambakkam, Chennai-600 006.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the list of candidates for certificate verification dated 27.11.2025 published by the second respondent in pursuance of the



WP.(MD)No.35049 of 2025

Notification No.2/2025 dated 10.07.2025 and consequently direct the respondents to appoint the petitioner as Post Graduate Assistant under the Director of School Education within the time stipulated by this Court.

For Petitioner : Mr.K.Balasundaram,
Senior Counsel,
for M/s.KBS Law Office.

For R1 : Mr.M.Sarangan,
Additional Government Pleader.

For R2 : Mr.T.Amjad Khan,
Government Advocate.

ORDER

As against the list published for certificate verification dated 27.11.2025 by the second respondent, the petitioner has filed the present writ petition.

2.The learned Senior Counsel for the petitioner submits that the petitioner is a graduate in BA (History), MA (History), B.Ed and M.Phil (History) through Tamil medium. She is a person with Category-III (CAT-III) locomotor disability of 60% in her left leg and belongs to the backward



class. The second respondent/Teachers Recruitment board has issued a Notification in No.2 of 2025 dated 10.07.2025 calling for applications to fill up 1581 posts out of which 55 vacancies were to fill up the post of Post Graduate Assistant (History). The petitioner applied for the post of Post Graduate Assistant (History) under the Special category of Differently Abled Persons (CAT-III) and also under the Persons studying in Tamil Medium category. She appeared for the written examination on 12.10.2025 and in the results published on 27.11.2025, it is specified that she has secured 78 marks with "Qualified" eligibility status. However, her name was not included in the list of candidates called for certificate verification and not even a single person from the Backward Classes CAT-III were called for certificate verification for the post of Post Graduate Assistant (History). Further, S.No. 103 of the results published on 27.11.2025 specifies that no person is available under the Backward Classes Category-IV (CAT-IV) Disability for the post of Post Graduate Assistant (History). According to the petitioner, she ought to have been called for certificate verification under this category.



3.The learned Senior Counsel for the petitioner submits that Section 34 of the Rights of Persons with Disabilities Act 2016 mandates horizontal reservation for persons with disabilities and hence, the petitioner ought to have been permitted to participate in the certificate verification process. Therefore, the petitioner has filed the present writ petition seeking appointment of the petitioner to the post of Post Graduate Assistant (History).

4.The petitioner has attempted to make out a case by referring to the proviso to sub Section (2) of Section 34 of the Right of the Persons with Disability Act, 2016 [herein after referred as 'the Act']. The sub Section (2) of Section 34 of the Act itself made it clear that in any recruitment year if any vacancy cannot be filled up due to non-availability of a suitable person with benchmark disability or for any other sufficient reasons, such vacancy shall be carried forward in the succeeding recruitment year and even if in the succeeding recruitment year also, suitable person with benchmark disability is not available, it may first be filled by interchange among the five categories and only when there is no person with disability available



WP.(MD)No.35049 of 2025

for the post in that year, the employer shall fill up the vacancy by appointment of a person, other than a person with disability. This is also *pari materia* to the provisions of Section 27(bbb) of the Tamil Nadu Government Servant (Conditions of Service) Act 2016.

5. In view of the same, this Court is not inclined to entertain this writ petition and the same is, accordingly, dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

11.12.2025

NCC : Yes/No

Index : Yes/No

Internet: Yes

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To

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