



WA(MD). No.652 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 26/03/2025

CORAM

THE HONOURABLE Mrs. JUSTICE J.NISHA BANU
AND
THE HONOURABLE Mrs. JUSTICE S.SRIMATHY

WA(MD). No.652 of 2025
and CMP(MD) No.4643 of 2025

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

2.The Director of Government Examinations,
College Road
Chennai 600 006.

... Appellants

Vs

1.P.Palanimuthu

2.The Chairman
Teachers Recruitment Board,
4th Floor, EVK Sampath Maligai
Chennai 06.

... Respondents

PRAYER :- Writ Appeal filed under Clause 15 of Letters patent against the order of this Court dated 02.07.2024 in WP(MD). No. 9152 of 2022.



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For Appellants : Mr.J.Ashok
Additional Government Pleader
For Respondents : Mr.F.Deepak for R1
Mr.VR.Shanmuganathan for R2

JUDGMENT

(Judgment of the Court was delivered by S.SRIMATHY, J.)

The respondents in the writ petition are the appellants herein.

2. The writ appeal is directed against the order of the writ Court dated 02.07.2024 in WP(MD) No.9152/2022, wherein, the 2nd appellant was directed to issue PSTM certificate to the first respondent and on such production, the 2nd respondent Board was directed to consider the candidature of the first respondent.

3. The learned Additional Government Pleader for the appellants assailed the order impugned on the ground that the 2nd appellant has no authority in issuing the PSTM certificate, as their purview is only to conduct examinations in bilingual. Hence, the direction issued by the writ Court needs interference.



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4. It is the contention of the learned counsel for the first respondent/writ petitioner that for the post of Drawing Teacher, the first respondent had applied for Drawing Teacher under PSTM category, since he had completed his studies through Tamil medium. However, though he has come under the zone of consideration, his candidature was not considered on the ground that he has not produced the PSTM certificate. When the first respondent had applied for PSTM certificate with the Education Department, a reply has been given to him stating that there is no practice for issuance of such certificate. It is his case that when such certificate is not mandatory as per the pronouncement of the orders of this Court in a batch of writ petitions, which was subsequently challenged by way of appeal, the Division Bench had held that such certificate is unnecessary and hence the writ Court directed the 2nd appellant to issue such a certificate. However, so far, no such certificate has been issued and the writ petitioner has not been considered and appointed in any of the post.

5. We have heard the learned Additional Government Pleader and the learned counsel for the respondents.



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6. It is pertinent to note that the writ petitioner has completed his school education as private candidate. If the writ petitioner had studied in an educational institution coming under the control of the school education department, it is the Head of the institution, who has the authority to issue the PSTM certificate. In this case on hand, since the writ petitioner had appeared and completed his studies as private candidate, the 2nd appellant is the authority to issue PSTM certificate to the first respondent/writ petitioner. Therefore, the 2nd appellant is directed to issue PSTM certificate to the first respondent within a period of one week from the date of receipt of a copy of the judgment. On receipt of such a certificate, the first respondent shall produce the same before the 2nd respondent Board. The 2nd respondent Board shall select the petitioner, if he is otherwise qualified. Accordingly, the Director of Technical Education shall appoint the writ petitioner in any vacant post. It is made clear that the Director of Technical Education shall not shift the liability to the 2nd respondent Board, since according to the vacancy position, the appropriate authority is the Department of Technical Education and not the 2nd respondent Board.



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7. With the above observation and direction, the writ appeal is disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

[J.N.B.,J]

[S.S.Y.,J]

26.03.2025

NCC : Yes/No

Index : Yes/No

**Note: Registry shall mark a copy of the order to the
Director of Technical Education.**

RR

To

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

2.The Director of Government Examinations,
College Road
Chennai 600 006.

3.The Director
Department of Technical Education
Chennai.



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J.NISHA BANU, J
AND
S.SRIMATHY, J.

RR

ORDER
IN
WA(MD) No.652 of 2025

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