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Rev.Aplw(MD)No.104 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2026

CORAM

THE HON'BLE DR.JUSTICE R.N.MANJULA

Rev.Aplw.(MD). No. 104 of 2025

in W.P. (MD). No.14191 of 2024

Juliat,
D/o. Devadoss Thangaiah,
No.1/116, North Street,
Idaikkattur Post,
Sivagangai 630 602.

..Petitioner

Vs

1.The Teachers Recruitment Board,
Rep. By its Chairman,
3rd Floor,
Puratchi Thalaivar Dr.MGR Centenary Building,
DPI Campus, College Road,
Chennai 600 006.

2.The Teachers Recruitment Board,
Rep. By its Member Secretary,
3rd Floor,
Puratchi Thalaivar Dr.MGR Centenary Building,
DPI Campus, College Road,
Chennai 600 006.

3.The Director of School Education,
O/o. The Director of School Education,
DPI Campus, College Road,
Chennai 600 006.

..Respondent(s)



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PRAYER – This Review Application has been filed under Order 47 Rule 1 of C.P.C, read with 114 C.P.C., to review the order dated 02.07.2024 made in W.P. (MD).No.14191 of 2024 passed by this Court.

For Petitioner(s): Mrs.Kavitha Nithyanandan

For Respondent(s): Mr.T.Amjadkhan,

Government Advocate

ORDER

This Review Application has been filed to review the order of this Court dated 02.07.2024 made in W.P. (MD). No.14191 of 2024.

2.The Writ Petition has been filed to issue a writ of declaration to declare the Certificate Verification published by the second respondent therein dated 26.05.2024 in respect of Direct Recruitment to the post of Graduate Teachers Block Resource Teacher Educators BRTE – 2023 in Botany Subject under Backward Class (Women) (Special Education) Category as illegal and consequently to direct the respondents to select and appoint the petitioner in the above category as per the Notification No.03/2023, dated 25.10.2023 in Addendum Notification No.03A/2023, dated 15.11.2023.

3.While passing the order in the Writ Petition on 02.07.2024, this Court has



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made the following observations:-

“6.The learned Standing Counsel for the Teacher Recruitment Board submitted that the post, to which the petitioner seeks to be appointed is Graduate Teacher (IEDSS) under B.Ed., (Special Education) category. However, the petitioner had applied under the category of B.Ed., General. Hence, she was considered under that category.

7.The learned counsel for the petitioner submitted that only in the Addendum Notification, the Special Education Posts were mentioned and hence, the petitioner was not able to upload the required certificates even though she possesses the qualification in P.G.Diploma in Special Education (Multiple Disability: Physical & Neurological).

8.The learned Standing Counsel for the Board submitted that though in the main notification, the Special Education Post was not mentioned, in the addendum, it is stated that the candidates who opted to apply under B.Ed., Special Education, were given an opportunity, to upload the certificates for Special Education with edit option in the online portal from 14.12.2023 to 15.12.2023. The petitioner without doing so, now claims that she is eligible for the post of B.Ed., (Special Education).

9.It is further submitted that only after the addendum was issued, the petitioner had made application to the said post under B.Ed., category. Hence, the petitioner has got an opportunity to upload the certificates for special education even at the time he applied to the said post. Though the petitioner has got PG Diploma in Special Education (Multiple Disability: Physical & Neurological) approved under the Rehabilitation Council of India, the petitioner was not qualified for the post of Graduate Teacher



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(IEDSS), as she had opted to apply under B.Ed., Degree category. Further, as per the notification dated 25.10.2023, the special course obtained by the petitioner is not the prescribed course to be considered for the post of Graduate Teacher (IEDSS).

10.It is learnt from the records that due to the addendum, the Board has provided with edit option from 14.12.2023 to 15.12.2023 to make correction in the application already made in pursuant to the original notification. However, the petitioner failed to do so.

11.In the addendum notification dated 15.11.2023, qualification for Graduate Teachers (IEDSS) has been mentioned. The limited qualification, which has been prescribed for the appointment to the post of Graduate Teachers (IEDSS) is graduation with atleast 50% marks and B.Ed., (Special Education) from a recognized university. However, the petitioner was not qualified for the same, as the petitioner's qualification of PG Diploma in Special Education (Multiple Disability : Physical & Neurological) has not been mentioned in the prescribed qualification for the post of Graduate Teachers (IEDSS) in the addendum notification.

12.If the petitioner claims that the above qualification obtained by her is also equivalent to that of the Special Education, the petitioner ought to have challenged the addendum notification dated 15.11.2023 itself and get appropriate orders from the authorities concerned for recognizing the petitioner's qualification as an equivalent qualification for that post. Unless, the qualification is prescribed in the notification, the petitioner cannot expect the facility to upload her additional qualification, even if she was allowed to edit the application on 14.12.2023 and 15.12.2023. Without having the required qualification, the petitioner cannot claim



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consideration of her candidature to the post of Graduate Teacher (IEDSS).

Hence, the relief sought for by the petitioner cannot be granted.”

4.The Petitioner is said to have acquired the Post Graduate Professional Diploma in Special Education (PGPDSE) Visual Impairment. Even though the Rehabilitation Council of India (RCI) by its order dated 20.04.2009 has clarified that such Professional Diploma in Special Education is equivalent to B.Ed. Special Education in addendum, such qualification were not included. Hence, the petitioner could not apply for the post of BT Assistant/Graduate Teacher under the IEDSS category.

5. While passing the order in the Writ Petition on 02.07.2024, due to lack of proper representation, this Court was given to presume that the petitioner did not have qualification which was either prescribed in the notification or declared by RCI as qualification for the prescribed post. But now it is shown that the petitioner has got Post Graduate Professional Diploma in Special Education (PGPDSE) Visual Impairment which has been approved by RCI also. Unfortunately, the petitioner could not apply to the said post though she has filed an application pursuant to the Notification No.03/2023, dated 25.10.2023 for



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other post.

6. Even if the petitioner had chosen to apply for the said post, it would not have been possible for her to upload the certificate pertaining to her Post Graduate Professional Diploma in Special Education for want of explicit mention about the said qualification in the addendum. Though the petitioner can apply for the general post, she could not apply for the special post under the IEDSS category. In view of the defects stated above, the learned counsel for the review petitioner submitted that it was the petitioner's fault that she did not produce Post Graduate Professional Diploma in Special Education for a better appreciation of the Writ Petition; had it been produced, that would have changed the result of the Writ Petition filed by her.

7.Learned Government Advocate appearing for the respondents 1 and 2 submitted that in a similar circumstance involved in the case of ***R.Kaliyappan vs. The State of Tamil Nadu in W.P.No.26205 of 2024***, this Court had passed the orders on the basis of the qualification prescribed under RCI qualification dated 11.01.2012. In the above Notification, it has been stated that the RCI had developed guidelines for minimum requirement of RCI required qualification for



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appointment of special education teachers and thus the guidelines superseded the previous orders issued by the council and so the petitioner has to apply only for the future vacancies. Subsequent to that, an addendum has been issued on 25.10.2023 by notifying 144 posts and hence petitioner has to fit herself within the qualification prescribed in the notification.

8. In the order of the Hon'ble Justice Mr.N.Anand Venkatesh made in W.P. No.26205 of 2024, which was instrumental in giving the notification, there is an observation about the non-inclusion of various qualifications approved by the RCI.

9. So far as this petitioner is concerned, she has a required qualification even before the orders passed in W.P.No. 14194 of 2024. In other words, it has been observed in the above order that RCI approved qualification for appointment of special education teacher is inclusive of the completion of the diploma course apart from the other qualifications. The petitioner does not fall within the other approved qualifications for which the subsequent Government orders issued. She has already been qualified and her qualification has been approved by Rehabilitation Council of India. Had this been brought to the knowledge of this



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Court when the petitioner made her submissions in W.P. No.14191 of 2024, a different but beneficial disposal could have been made in the said Writ Petition.

10. As the Court has believed that the petitioner did not possess the required qualification, it has been recorded that the petitioner is not entitled to get any relief. As the petitioner is found to be possessing qualification approved by RCI even before the notification issued for 144 posts, it is not correct to make an observation that the petitioner is not entitled to get any relief. The petitioner is entitled to get placement depending upon the vacancies and reservation status for the post falling under the IEDSS category also.

11.Hence, the Review Petition is allowed and the Writ Petition is disposed by holding that the petitioner has got the required qualification for the post of IEDSS category and in the event of any vacancy available, the petitioner's appointment shall be considered positively, by following the reservation norms.

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O/o. The Director of School Education,
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DR.R.N.MANJULA, J.

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