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**(2006) 09 MAD CK 0204**  
**In the Madras High Court**  
**Case No : Writ Petition No. 3167 of 2006**

V. Vinodhini

APPELLANT

Vs

The Chairman, The Teachers' Recruitment Board

RESPONDENT

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**Date of Decision :** 15-09-2006

**Acts Referred:**

**Citation :** (2006) 09 MAD CK 0204

**Hon'ble Judges :** K. Chandru, J

**Bench :** Single Bench

**Advocate :** D. Nellaiappan, for the Appellant; V.R. Thangavelu, GA, for the Respondent

**Final Decision :** Dismissed

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## Judgement

K. Chandru, J.—By consent of the parties, the main writ petition itself is taken up for hearing.

2. The petitioner has filed the present writ petition seeking for issuance of writ of mandamus to direct the respondent to include her name in the list

of candidates provisionally selected for appointment as Junior Graduate Assistant in Government Higher Secondary School (2005-2006).

3. It is stated by the petitioner that she has got B.Sc. Degree in Bio-Technology conferred by the Bharathiyar University and she has also got

B.Ed. Degree both in Biological Science and English. She applied for the post of Junior Grade Assistant and she sent her application to the

Teachers" Recruitment. In the prospectus, under the caption "Qualifications", it is stated as follows:

a) Junior Graduate Assistant : A Bachelor's degree (B.A. /B.Sc.) from UGC recognised Universities only) in relevant subject with B.Ed. (from

NCTE recognised Universities only). Candidates should possess knowledge of Tamil of 10th Standard level.

4. It is also stated by the writ petitioner that at the time of issuing the Hall-Ticket, the authorities have not seen that the petitioner was having only

B.Sc. Bio-Technology and not either B.Sc. Biology or Zoology. She had also written the examination with Roll No. D07150101. It is her case

that after she had written the examination, when the results were published, her name did not find a place in the list of candidates provisionally

selected for the post of Junior Grade Teacher -Zoology. It is under these circumstances, the present writ petition has been filed.

5. I have heard Mr. Nellaiappan, the learned Counsel appearing for the petitioner as well as Mr. V.R. Thangavelu, the learned Government

Advocate representing the respondent, and perused the records.

6. According to Mr. Nellaiappan, learned Counsel for the petitioner, after the examination was over, the petitioner has produced her certificates

and attended the interview. But, in the instructions to the candidates, it is clearly stated that the fact that a candidate is called for verification of the

certificates and her participating in the interview will not be a guarantee for any employment. The learned Counsel for the petitioner further

submitted that B.Sc. Bio-Technology should be considered to be equivalent to B.Sc. Zoology and Botany and, according to him, having permitted

her to write the examination and having asked her to produce the certificates, she is entitled to have her name included in the select list.

7. On behalf of the respondent, the Member-Secretary, Teachers' Recruitment Board, has filed a counter affidavit and in paragraph 8 of the same,

it is stated as follows:

I respectfully submit that the writ petitioner with Roll No. D07 150101 for Junior Grade Assistant in Zoology was called for Certificate Verification

on 16.12.2005 based on her marks in the written examination. During Certificate Verification it was found that she holds a degree in Bio-

Technology, which is not as per the notification given by the Board, and as per qualification prescribed by the Government.

8. It is the stand of the respondent / Recruitment Board that it is only at the time of verification of the Certificates, they found that the petitioner is

having B.Sc. Bio-Technology, which is not as per the notification given by the

Board and qualification prescribed by the Government. In view of the fact that she does not possess the qualification prescribed by the Government, the Board cannot do anything further in the matter and, therefore, her name was not included in the select list. It is also stated that in the prospectus, it was clearly mentioned that only such persons, who are having qualifications need to apply and further stated in the instructions to candidates referred to above that mere fact that persons called for verification of certificates will not be ipso facto guaranteed any employment. Under these circumstances, according to the learned Government

Advocate, the prayer in the writ petition cannot be countenanced by this Court.

9. However, the learned Counsel for the petitioner states that she had qualified herself with a Degree in Science, which has got a syllabus covering

the field of Zoology and persons like her, having gone through the Degree Course approved and recognised by the University, cannot be edged

out from being considered for the post in question. But the respondent has stated in the counter affidavit that the basic qualification for the post of

Science Teachers is fixed by the Government based on the recommendations of the Director of School Education.

10. In the light of the above, it is open to the petitioner to make appropriate representation to the Government and also to the Director of School

Education bringing to their notice the Degree obtained by her and by supplying such other information that is required and make necessary prayer

for making her qualification as equivalent or suitable qualification for the post in question. Except these observations, no further relief can be

granted to the petitioner.

11. With the above observations, the writ petition is dismissed. However, there will be no order as to costs.