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W.P. No.16397/2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on	Pronounced on
27.01.2026	04.02.2026

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO. 16397 OF 2025

AND

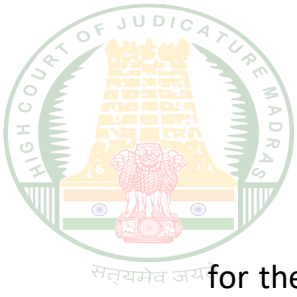
W.M.P. NOS. 18527, 18528 & 18536 OF 2025

1. M.Kalyanasundaram
 2. M.Jayaprakash
- .. Petitioners

- Vs -

1. The State of Tamil Nadu
Rep. By its Principal Secretary to Govt.
School Education Department
Fort St. George, Chennai 600 009.
 2. The Director of School Education
DPI Campus, College Road
Chennai 600 006.
 3. The Teacher Recruitment Board (TRB)
Rep. By its Member Secretary
DPI Campus, College Road
Chennai 600 006.
- .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of certiorarified mandamus to call for the records of the 3rd respondent in publishing the revised provisional selection list dated 4.4.2025



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for the subject History and to quash the same as being illegal and unsustainable in law insofar as it does not include the petitioners name and for a consequential direction to the respondents to award 5 marks to the 1st petitioner and 3 marks to the 2nd petitioner as weightage marks which they are eligible for as per G.O. Ms. No.147, School Education (TRB) Department dated 22.08.2023 and consequently include the petitioners in the final selection list and appoint them as Graduate Teacher/BT Assistant in the subject History pursuant to the recruitment notification dated 25.10.2023.

For Petitioners : Ms. N.Kavitha Rameshwar

For Respondents : Ms. Mythreye Chandru, Spl. GP
For RR-1 & 2
Mr. C.Kathiravan for R-3

ORDER

Aggrieved by the non-inclusion of the petitioners name in the revised provisional seniority list for the post of Graduate Teacher/BT Assistant by not awarding marks for the TET qualification obtained by the petitioners inspite of directions given in G.O. Ms. No.147, School Education (TRB) Dept., dated 22.8.2023, the present petition has been preferred before this Court, with a prayer to quash the revised provisional seniority list and to include the names of



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the petitioners by granting the requisite marks as mandated in the aforesaid G.O.

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Ms. No.147.

2. It is the case of the petitioners that pursuant to the notification dated 25.10.2023 issued by the 3rd respondent calling for applications for the post of Graduate Teachers/Block Resource Teacher Educators (for short 'BRTE'), the petitioners applied for the said post by submitting their application for subject History. Further, the 1st petitioner applied under the PSTM category.

3. The petitioners uploaded their application along with the requisite documents, including the TET qualification certificate and attended the competitive examination conducted on 4.2.2024 for which results were published by the 3rd respondent on 18.5.2024. Both the petitioners obtained 80.50 marks including weightage marks and they belong to MBC category. Thereafter the petitioners participated in the certificate verification. During the process of certificate verification, the petitioners produced the TET certificate obtained by them in the year 2013 and 2017 by the 1st and 2nd petitioner and sought for award of weightage marks as per G.O. Ms. No.147 as they are eligible to get 5 marks and 3 marks respectively.



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4. It is the further case of the petitioners that the 3rd respondent published the provisional selection list on 1.8.2024 in which the petitioner's name were not found, which prompted the petitioners to approach the 3rd respondent, whereupon, they were informed that since they had uploaded the TET certificate of the year 2022 alone, they were awarded only 0.5 marks as weightage marks. It is the further averment of the petitioners that persons like the petitioners, who completed additional degree were granted marks as weightage as per G.O. Ms. No.147 and, they sought for the same treatment, however, they were not provided with the same.

5. It is the further averment of the petitioners that as per the recruitment notification, weightage marks is envisaged for those who are qualified to be appointed even in 2013. If the petitioners are awarded weightage marks as provided for in G.O. Ms. No.147, they would have obtained 85 and 83 marks respectively, which would be above the cut-off marks of 81 and, therefore, would be qualified to be selected and included in the provisional selection list, as, as per G.O. Ms. No.147, weightage marks are to be awarded from the date of the earlier year of passing of TET.



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6. Alternatively, it is averred by the petitioners that even if the petitioners are to be held that they became eligible for the post of BT Assistant in the subject History only in 2019 and 2020 respectively when they completed their additional degree, they would have to be given weightage atleast from the year 2019 when they obtained the TET certificate and, therefore would have to be awarded atleast 2 marks, which would also enable the petitioners to be above the cu-off marks, but the not-grant of weightage marks as per the Government Order has resulted in the petitioners losing their chance of appointment. Inspite of the representation of the petitioners, they have not been considered and, therefore, left with no alternative, they have filed the present writ petition before this Court.

7. Learned counsel appearing for the petitioner submitted that there is gross violation of right of equality of opportunity to the petitioners in public employment, which is hit by Articles 14 and 16 of the Constitution, as equal treatment in the award of marks has not been meted out to the petitioners.

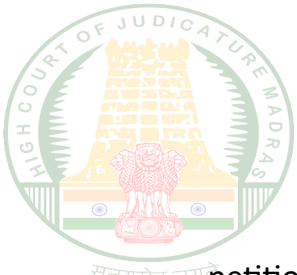


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8. It is the further submission of the learned counsel that though the 1st petitioner had obtained his TET certificate in the year 2013 and once again, after completing a degree in History, obtained another TET certificate in the year 2019, while the 2nd petitioner had obtained his first TET certificate in the year 2017 and, thereafter, obtained the 2nd TET certificate in the year 2019, however, both the TET papers were one and the same, as the petitioners had taken the TET papers relating to English & Social Science, which has a common TET paper and the fact that the petitioners attempted TET twice was only to improve their score, which would be of no significance as English and Social Science has a common TET paper while Maths and Pure Science has another common TET paper. Such being the case, the 3rd respondent ought to have granted the benefit of G.O. Ms. No.147 to the earlier TET certificate obtained by the respective petitioners in the year 2013 and 2017 and given the weightage marks, which has been given to similarly placed persons.

9. It is the further submission of the learned counsel that online uploading of documents, which has been mandated in the notification did not permit uploading of dual TET certificates and, therefore, the petitioners had uploaded only the recent TET certificate obtained by them, but nevertheless, the



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petitioners would be entitled to the benefit of the weightage marks, to which they are eligible under G.O. Ms. No.147.

10. It is the further submission of the learned counsel that even if the 2013 and 2017 TET certificates of the petitioners are not taken into consideration for giving the weightage, the petitioners would be entitled to weightage from the date of completion of their History degree in the year 2019 in which case, the 1st petitioner and 2nd petitioner would be entitled for 3 marks each. However, the 3rd respondent has given weightage of only 0.5 marks to the petitioners, which is grossly erroneous. Accordingly, he prays for allowing the present petition with a direction to include the names of the petitioners in the revised provisional selection list and consequently appoint the petitioners as Graduate Teachers/BRTE.

11. In support of the aforesaid submissions, learned counsel placed reliance on the decision of this Court in ***B.Kodeeswari – Vs – State of Tamil Nadu & Ors. (W.P. No.26215 of 2024 – Dated 10.09.2024)***.



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12. Per contra, learned counsel appearing for the 3rd respondent submitted that the petitioners did not submit the TET certificate obtained by them in the year 2013 and 2017 respectively by uploading the documents while submitting their application for the aforesaid posts. It is the further submission of the learned counsel that there is a clear direction in the notification that all the relevant documents, which the candidates rely on and which are required for consideration of their candidature have to be uploaded while submitting the application form online. However, the petitioners have uploaded the TET certificate of the year 2022 and, therefore, they have been given 0.5 marks as weightage based on the provisions in the notification.

13. It is the further submission of the learned counsel that the petitioners have not uploaded their TET certificate of the year 2013 and 2017 and, therefore, the weightage marks could not be given and moreover, the petitioners have applied for History for which they have obtained TET certificate only in the year 2022 and, therefore, the TET certificate obtained by them in the year 2013/2017 would not be eligible for weightage marks, as it was obtained for English subject.



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14. It is the further submission of the learned counsel that the eligible cut-off for GT T is 83 and for MBC/DNC T is 81, but the petitioners have obtained only 80.5 marks and, therefore, they could not be considered for selection under MBC/DNC T category. It is further submitted by the learned counsel that the recruitment for Graduate Teacher/BT Assistant for the subject History has attained finality by way of publication of provisional selection list on 4.4.2025 and, therefore, in the absence of any vacancy, even otherwise, the candidature of the petitioners cannot be considered. Therefore, he prays for dismissal of the present writ petition.

15. In support of the aforesaid submissions, learned counsel placed reliance on the following decisions :-

- i) *P.Uma Maheswari – Vs – The State of Tamil Nadu (W.P. Nos.23143/2024 – Dated 22.8.2024); and*
- ii) *T.G.Balaji – Vs – The State of Tamil Nadu (W.P. No.15401/2024 – Dated 05.07.2024)*

16. This Court gave its careful consideration to the submissions advanced by the learned counsel appearing on either side and perused the materials available on record.



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17. The fact that the petitioners had completed TET and obtained certificate in the year 2013/2017 respectively, though they had completed degree in History only in the year 2019. However, it is to be pointed out that the petitioners had the basic degree in English Literature even in the year 2013, when they completed their TET. Further, the obtainment of TET certificate is not relatable to the degree obtained by the petitioners in the year 2013 or otherwise, as the obtainment of TET certificate has no relevance to the completion of degree as it is not as if the TET certificate should be obtained only upon completion of 10 + 2 + 3 + 1 year. This is evident from the ratio laid down in *Kodeeswari case (supra)*. Therefore, the stand of the 3rd respondent that the petitioners had completed degree in History only in the year 2019 and, therefore, the TET certificate obtained in the year 2013/2017 would not have any relevance for grant of weightage marks is grossly misconceived and, therefore, the said contention deserves to be rejected.

18. It is also to be pointed out that though there are two streams, viz., one for English/History and other is for Maths/Pure Science, however, TET paper/exam for English Literature and History is one and the same. Therefore,



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the obtainment of TET certificate in the paper relating to English/History in the year 2013 would not act as a deterrent with respect to the degree obtained by the petitioner in History in the year 2019, more particularly, in view of the fact that the TET certificate obtained by an individual from the date of coming into force of TET would be a valid certificate as held by the National Council for Teacher Education vide its communication dated 9.6.2021. Therefore, the TET certificate obtained by the petitioners in the year 2013/2017 would be perfectly valid.

19. It is not the case of the petitioners that while they had filled and filed the online application for Graduate Teachers/BT Assistant in History, they had uploaded the TET certificate obtained in the year 2013/2017. However, it is the case of the petitioners that there was no provision for uploading the earlier TET certificate obtained by them in the year 2013/2017 while filing and submitting the online application and, therefore, they had produced the same at the time of certificate verification, but the requisite weightage marks has not been provided to them.



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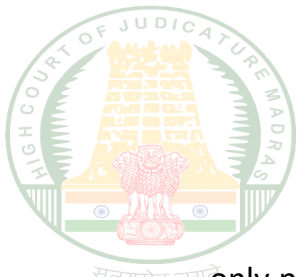
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20. Though such a contention is advanced on behalf of the petitioners, if really, there was no option for uploading more than one TET certificate, the petitioners ought to have approached this Court at the earliest instance and sought for necessary direction. Based on the TET certificate uploaded by the petitioners, pertaining to the year 2019, weightage marks have been granted by the respondents.

21. On the basis of the documents uploaded by the petitioners weightage marks have been granted to them. In this regard, calculation of weightage marks has been provided for in Clause 11 of the Notification in which sub clause (vi) clearly provides as under :-

“vi) In case, if a candidate has passed the TNTET – Paper – II examination for more than one year, then the earlier year of passing of TNTET – Paper - II examination with the specific optional subject for which subject the candidates applied for this recruitment shall be taken into account for the purpose of awarding of weightage marks.”

22. In the present case, the petitioners have passed the TET examination in the year 2013/2017, which is not disputed, but unfortunately, they have not uploaded the said certificates while submitting their online application, but have

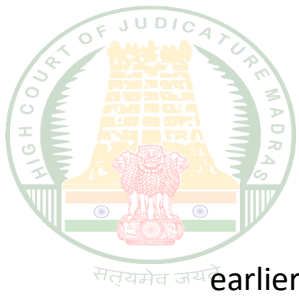


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only produced the same at the time of certificate verification, which has resulted in the weightage marks not being granted to them. In this regard, sub-clause (vi) of Clause 11 of the Notification, extracted supra, stands attracted, which though provides that weightage marks would be given for the TET examination passed for more than one year, however, harmoniously reading the same with the Clause 8 of the Notification relating to Uploading the Documents/Certificates, it could be safely held that such weightage marks would be given only for such of the documents that have been uploaded along with the online application, which is being verified in the certificate verification process. Only such a construction would enable proper application of all the provisions.

23. Though it is the claim of the petitioners that they were unable to upload their earlier TET certificates obtained by them in the year 2013/2017, however, if really the petitioners had faced such difficulty, the petitioners ought to have approached this Court seeking relief for uploading the said TET certificates, since as early as on 9.6.2021, the TET certificates obtained since the inception of TET have been given life time validity and, therefore, the petitioners ought to have been more diligent in pursuing their remedy, moreso, when the notification calling for application had prescribed for weightage marks for the

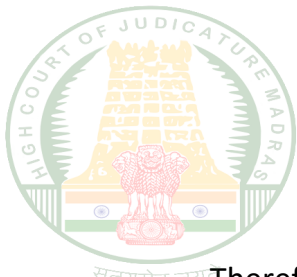


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earlier certificates obtained in TET. When the petitioners have not been diligent enough and the whole recruitment process, more particularly for subject History has attained finality and the provisional selection list has already been published on 4.4.2025, which clearly transpires from the counter of the 3rd respondent, which fact is not disputed by the petitioners, this Court cannot grant any relief to the petitioners as they have approached this Court.

24. If really the petitioners had any difficulty in uploading the earlier TET certificates obtained by them, they should have worked out their remedy and by approaching this Court seeking the relief of uploading the earlier TET certificates and the petitioners having miserably failed to do so, now cannot take a stand that though they have completed TET in the year 2013/2017, but had uploaded only the 2022 certificate, they should be permitted to rely on the earlier certificates to claim the weightage marks. The petitioners having failed to agitate their rights at the earliest point of time, cannot be permitted to have their grievance ventilated at this distant point of time when the entire selection process has got over and by now the persons, who have been selected have joined the said posts. If the petitioners are permitted, then every other candidate can come back and raise such a ground and the recruitment process would not see the end of the tunnel.

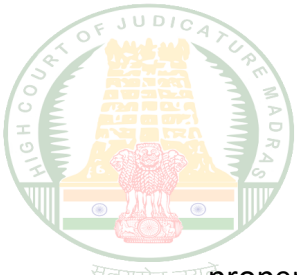


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Therefore, the plea of the petitioners cannot be granted and the writ petition deserves to be dismissed.

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25. However, it is to be pointed out that when the earlier TET certificates are held to be valid throughout the life time of an individual and weightage marks is being provided for acquiring additional TET certificate, it is incumbent on the 3rd respondent to provide for uploading of the earlier TET certificates by providing necessary provision in the online portal, while the candidates apply for the post through the online portal. Though a marked question was put to the 3rd respondent by this Court on the said aspect, however, no clear answer was forthcoming with regard to whether multiple TET certificates could be uploaded. If multiple certificates cannot be uploaded, then applicants who are in possession of dual TET certificates ought to be granted weightage marks for the earlier certificate, which could not be uploaded. Further, when there is a gaping error in the application process with regard to certificate uploading, it cannot always be put on the head of the applicant to knock the doors of this Court to seek the indulgence of this Court for giving weightage to the certificate which could not be uploaded. This Court cannot act as a post office by entertaining every case of such nature and issue direction to the respondents to do the thing in a clear and



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proper. It is the duty of the respondents/authorities to discharge their duties properly and it cannot be thrust on the head of this Court to see to it that the authorities discharge their duties properly, which this Court finds, day-in and day-out that matters of such nature are filed where this Court issues a slew of directions to the authorities to discharge their duties, which only consumes precious judicial time. Therefore, this Court directs the 3rd respondent to ensure that provision is made in the online application portal for uploading multiple documents relating to TET certificates so that the applicants do not suffer non-uploading of earlier TET certificate disabling them to get the requisite weightage marks.

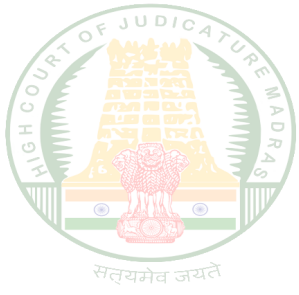
26. For the reasons stated above, this writ petition fails and the same is dismissed with the aforesaid observations and directions. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

04.02.2026

Index : Yes / No

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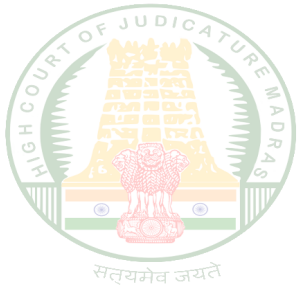
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To

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School Education Department
Government of Tamil Nadu
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M.DHANDAPANI, J.

GLN

**PRE-DELIVERY ORDER IN
W.P. NO.16397 OF 2025**

**Pronounced on
04.02.2026**