

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2015

CORAM

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI  
AND  
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.A.Nos.126 and 127 of 2015  
and  
M.P.Nos.1 and 1 of 2015

V.Vidhya .. Appellants in  
W.A.No.126 of 2015

1.Dr.Neelisetty Balaji  
2.Dr.S.Uma  
3.Dr.D.Selvi .. Appellants in  
W.A.No.127 of 2015

Vs.

1.Teachers Recruitment Board,  
rep by its Member Secretary,  
4<sup>th</sup> Floor, EVK Sampath Maaligai,  
DPI Compound, College Road,  
Chennai-600 006.  
2.Teachers Recruitment Board,  
The Interview Board No.II for Mathematics,  
rep by its Board of Directors,  
4<sup>th</sup> Floor, EVK Sampath Maaligai,  
DPI Compound, College Road,  
Chennai-600 006. ... Respondents in  
both writ appeals

These writ appeals are preferred under Clause 15 of the Letters Patent against the order of this court dated 18.11.2014 made in W.P.Nos.25114 and 25621 of 2014. presented under Art.226 of the constitution of India to issue Writ of declaration, or any other order or direction declaring that clause 13 dealing with the scheme of Selection of the Notification/ advertisement No.4/2013 dated 28.05.2013 issued by the 1<sup>st</sup> respondent pertaining to the direct recruitment of Assistant professor in Tamil Nadu Collegiate Educational service for Government Arts and science Colleges - 2012 awarding 10 marks for interview out of 34 marks is arbitrary and violative of Article 14 and 16 of the Constitution of India and consequently direct the 1<sup>st</sup> respondent to select the petitioner for the post of Assistant Professor in Government Arts and science Colleges only based on marks awarded for the Teaching experience and qualification.

For Appellants : Mrs.C.Uma

COMMON JUDGMENT

(Judgment of the Court was made by SATISH K. AGNIHOTRI, J.)

Both writ appeals arise from the common order dated 18.11.2014 passed in W.P.Nos.25114 and 25621 of 2014.

2. The writ petitioners participated for selection on the post of Assistant Professors in the Government Arts and Science Colleges under the Tamil Nadu Collegiate Educational Service for the year 2012, pursuant to the notification published on 28.5.2013. After having participated unsuccessfully, the writ petitioners questioned the norms fixed for selection process.

3. It is not in dispute that the norms were fixed in the notification as well as in the Government Order, which prescribed marks for the interview. The writ petitioners did not question the validity of the notification and the relevant orders before participating in the selection process. After having failed in the selection process, the writ petitioners have come up with the writ petitions.

4. The learned Single Judge have rejected the writ petitions on two grounds, firstly, the petitioners cannot be permitted to question the methodology adopted in awarding marks in the interview after participation in the selection process. On the question of merit also, it was examined and found that there was no arbitrariness in the selection process.

5. We have examined both cases carefully. Indisputably, the notification was issued on the basis of the Government Order, which clearly provides selection process and also the methodology to be adopted in awarding marks for the interview. The writ petitioners, having participated in the process, are rightly not permitted to raise the issue, at this stage. On merit also, it is not found that there was any unreasonable arbitrariness in the process. We do not find any reason to take contrary view to that of the learned Writ Court.

6. Accordingly, both writ appeals are dismissed. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vvk

To

- 1.The Member Secretary,  
Teachers Recruitment Board,  
4<sup>th</sup> Floor, EVK Sampath Maaligai,  
DPI Compound, College Road,  
Chennai-600 006.
- 2.The Board of Directors,  
Teachers Recruitment Board,  
The Interview Board No.II for Mathematics,  
4<sup>th</sup> Floor, EVK Sampath Maaligai,  
DPI Compound, College Road,  
Chennai-600 006.

+ 1 cc to Government Pleader Sr.6638  
+ 1 cc to Mr.C.Uma, Advocate SR.6240

W.A.Nos.126 and 127 of 2015

TEJ(CO)  
Eu 21.02.15



WEB COPY