

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.3.2015

CORAM

THE HONBLE MR.JUSTICE V.RAMASUBRAMANIAN
and
THE HON'BLE MR.JUSTICE P.R.SHIVAKUMAR

Writ Appeal No.1012 of 2013

1. A.Senthil Raj
2. M.Sujatha
3. A.Palanivelraj
4. N.Punithavathi
5. R.Nagalakshmi Appellants

Vs.

1. The Director
State Council Education Research & Training
DPI Campus, College Road
Chennai 60.
2. The Chairman
Teachers Recruitment Board
4th Floor, EVK Sampath Salai
DPI Compound, College Road
Chennai 600 006.
3. The Secretary to Government
School Education Department
Secretariat, Fort St. George
Chennai 600 009. ... Respondents
(R3 impleaded vide order dated
25.3.2014 in M.P.No.1 of 2014)

Appeal under Clause 15 of the Letters Patent against the order dated 12.3.2013 made in W.P.No.4877 of 2013.

Petition presented under Article 226 of Constitution of India praying to issue a writ of Mandamus, directing the respondents to issue the order of appointment to the post of Senior Lecturer in favour of the petitioner based on the selection in pursuant to the notification issued by the 2nd respondent in Advertisement No.03 dated 31-12-2011 and the subsequent declaration of results and publication of provisional select list of candidates called for

Certificate Verification dated 06-06-2012 within the time frame to be fixed by this Court.

For Appellants : Mr.G.Sankaran
For Respondents : Mrs.A.Srijayanthi, Spl.G.P.

J U D G M E N T
(Delivered by V.Ramasubramanian,J)

The petitioners, who were tentatively selected for appointment to the post of Senior Lecturers, but who were not issued with appointment orders, came up with a writ petition in W.P.No.4877 of 2013. The writ petition was dismissed by a learned Judge, by an order dated 12.3.2013, at the stage of admission, on the short ground that merely because of being provisionally selected, a person does not acquire a vested right to appointment. Aggrieved by the said order of the learned Judge, the writ petitioners have come up with the above appeal.

2. Heard Mr.G.Sankaran, learned counsel for the appellants and Mrs.A.Srijeyanthi, learned Special Government Pleader for the respondents.

3. Originally, the entire selection that was undertaken in pursuance of the notification dated 31.12.2011 was kept by the respondents in cold storage. During the pendency of the writ appeal, the Teachers Recruitment Board addressed the Government as to what should be done. The Government gave permission by the proceedings dated 07.5.2014 to the Teachers Recruitment Board to cancel the entire process of selection initiated under the notification dated 31.12.2011. When the said communication was produced before us, the learned counsel on both sides argued the matter in extenso, bringing to our notice the various decisions of the Supreme Court where it was held that there cannot be an arbitrary cancellation of the process of selection. When the matter was adjourned for the respondents to furnish reasons for the cancellation of the entire process of selection, the Teachers Recruitment Board appears to have revised its earlier decisions and decided to call the appellants for certificate verification.

4. Today, the learned Special Government Pleader produced copies of the letters issued to the appellants calling upon them to come for a fresh round of certificate verification on 10.4.2015. The learned Special Government Pleader, on instructions, submitted that the earlier decision to cancel the entire process of selection now stands

revoked. This is the reason why the respondents have now decided to proceed with certificate verification and complete the process of selection initiated in pursuance of the notification dated 31.12.2011.

5. In the light of the above, the grievance of the appellants actually stand redressed with the issue of call letters. Hence, recording the same, the writ appeal is closed. No costs. Consequently, M.P.No.1 of 2013 is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kpl

To

1. The Director
State Council Education Research & Training
DPI Campus, College Road, Chennai 6.
2. The Chairman
Teachers Recruitment Board
4th Floor, EVK Sampath Salai
DPI Compound, College Road
Chennai 600 006.
3. The Secretary to Government
School Education Department
Secretariat, Fort St. George
Chennai 600 009.

+1cc to Mr.G.Sankaran, Advocate, S.R.No.16447
+1cc to the Government Pleader, S.R.No.16322

W.A.No.1012 of 2013.

KSJ(CO)
CA(31/03/2015)

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