

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25422 of 2015

S.Jaikumar

...Petitioner

Vs.

1 The Member Secretary
Teachers Recruitment Board IV Floor E.V.K.
Sampath Maaligai D.P.I Campus College Road
Chennai-600 006.

2 The Secretary to Government
Personnel and Administrative Reforms
(Personnel) Department Fort St. George
Chennai-9.

...Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent to appoint the petitioner to the Post of Graduate Assistant (History) in Government Higher Secondary Schools in the Selection to be held on 24.08.2015 as per the notification issued by the 1st respondent for counselling in the newspapers the Hindu, Tamil Daily dated 02.08.2015 and as per the order of this Honourable Court dated 06.09.2011 passed in W.P.No. 10240 of 2011 and as per the priority prescribed in G.O.MS.No. 188 Personnel and Administrative Reforms (Personel) Department dated 28.12.1976.

For Petitioner : Mr.S.Baskaran

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner would state that he passed B.A.(History), examination in second class and was conferred with the said degree by Periyar University and subsequently, passed M.A. (History) during May, 2004 conducted by the Madras University and also successfully completed B.Ed. Course conducted by the Annamalai University and he belongs to Scheduled Caste Community. The petitioner got his name registered in the Employment Exchange in 24.09.2004 bearing registration no 2004 M11591 with the category of SCAGPR.

3.It is further stated by the petitioner that on earlier occasion, recruitment was done for appointment to the post of Graduate Assistant through the Employment Exchange and as per the call letter dated 02.02.2011, the petitioner was also directed to appear for the post of Graduate Assistant (History) for the year 2010-11 by the Teachers Recruitment Board (TRB) and his name was also sponsored by the Employment Exchange to the said post in the communal turn of Scheduled Caste Arunthathiyar Community under the land acquisition priority category. Though the petitioner has appeared, he was not selected and in this regard, filed W.P.No.10260 of 2011 and this Court after hearing the rival submission, has disposed of the writ petition on 06.09.2011 with an observation that the petitioner is entitled to be considered for the next vacancies in future.

4.It is the claim of the petitioner that as per the notification issued by the Directorate of School Education, Post Graduate Assistant sought to be appointed and the counselling is to be held on 24.08.2015 and in this regard, the petitioner has also submitted a representation dated 10.08.2015, to the Member Secretary, TRB to consider his claim in the light of the above said orders passed by this Court and since he is yet to be favoured with any kind of response, came forward to file this writ petition.

5.Heard the submissions of Mr.S.Baskaran, learned counsel appearing for the petitioner and Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the respondents.

6.Though the petitioner prayed for a larger relief, this Court in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioner directs the first respondent to consider and dispose of the petitioner's representation dated 10.08.2015 on merits and in accordance with law after taking

note of the order of this Court dated 06.09.2011 made in W.P.No.10260 of 2011 and pass orders on or before 21.08.2015 and communicate the decision taken, to the petitioner.

7.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

pri

To

- 1 The Member Secretary
Teachers Recruitment Board IV Floor E.V.K.
Sampath Maaligai D.P.I Campus College Road
Chennai-600 006.
- 2 The Secretary to Government
Personnel and Administrative Reforms
(Personnel) Department Fort St. George
Chennai-9

1cc to Mr.S.Baskaran, Advocate, S.R.No. 43043

1cc to the Government Pleader, S.R.No. 43489

WEB COPY

W.P.No.25422 of 2015

MP (CO)
PSI (18/08/2015)