

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 05.03.2015

Coram

The Honourable Mr. Justice K.K. SASIDHARAN

W.P.No.29734 of 2014
and
M.P.No.1 of 2014

P.Rukmani

.. Petitioner

vs.

- 1.The Government of Tamil Nadu,
rep.by Secretary to the Government,
School Education Department,
Fort St.George, Chennai-600 009
- 2.The Director of Elementary Education,
College Road,
Chennai-600 006
- 3.The Teachers Recruitment Board,
rep.by its Member-Secretary,
College Road, Chennai-600 006

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to provide 10% vacancies in the post of Secondary Grade Teacher for the destitute widows under the proviso to Rule 21 of the State and Subordinate Service Rules and issue a consequential direction to the respondents to select and appoint the petitioner as Secondary Grade Teacher as against the vacancies meant for destitute widows, for the year 2013 with service and monetary benefits.

For Petitioner : Mr.R.Saseetharan

For respondents : Mr.M.S.Ramesh,A.G.P.

ORDER

The petitioner is a destitute widow. The petitioner took part in the selection process for appointment to the post of Secondary Grade Teacher, pursuant to the Notification issued by the Teachers Recruitment Board. Since there was no reservation in favour of destitute widows, the petitioner was not considered for

appointment. The petitioner now seeks a direction to the respondents to provide 10% vacancies in the post of Secondary Grade Teachers for destitute widows, as per proviso to Rule 21 of the State and Subordinate Service Rules.

2. The third respondent filed a counter affidavit, wherein it is stated that in the instant recruitment of Secondary Grade Teacher, the time scale of pay is Rs.5200/--20200/- with Grade pay of Rs.2800/-. Since the Grade pay exceeds Rs.2400/-, it is not possible to consider providing reservation to the destitute widows.

3. The learned counsel for the petitioner, by placing reliance on the Government Order in G.O.Ms.No.32, Personnel and Administrative Reforms (3) Department, dated 22.3.2013, submitted that the Government have already enhanced the Grade pay from ***2400/-** to Rs.2800/- and as such, the issue requires consideration by the Teachers Recruitment Board.

4. The third respondent is directed to consider the case of the petitioner for appointment to the post of Secondary Grade Teacher under the category of destitute widow, taking into account the amendment made by order dated 22.03.2013 and as indicated above. She should be considered for the existing vacancies. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above direction. No costs. Connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS II)

dt.17.03.2015

Corrected order to be issued
vide as per letter dated 16.04.2015
by the petitioner counsel
Mr.R.Saseetharan

/true copy/

Sd/-

Asst.Registrar (CS V)

dt.22.04.2015

Sub Asst. Registrar

msk

To

1.The Secretary to the Government,
Government of Tamil Nadu,
School Education Department,
Fort St.George, Chennai-600 009

2.The Director of Elementary Education,
College Road,
Chennai-600 006

3.The Member-Secretary,
The Teachers Recruitment Board,
College Road, Chennai-600 006

1 cc to M/s.R. Saseetharan, Advocate, sr. 12778

1 cc to Government Pleader, sr. 12584

To be Substituted to
the order already
despatched on
15/04/2015

W.P.No.29734 of 2014

ALA (CO)
kk 21/3
EU 24.04.2015



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