

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.12.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.40411 of 2015

S. Vinothkumar

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. By its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St.George,
Chennai 600 009.

2.The Director of School Education,
DPI Campus, College Road,
Chennai - 600 006.

3.The Joint Director of School Education,
(Higher Secondary)
DPI Campus, College Road,
Chennai - 600 006.

4.The Chairman,
Teacher Recruitment Board,
DPI Campus, College Road,
Chennai - 600 006.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the representation submitted by the petitioner dated 30.11.2015 and to select and appoint petitioner to the post of PG Assistant based on the selection conducted in the year 2012-2013 in Roll No.12PG01080358 in the light of clarification issued by the orders of 1st respondent issued in Government Letter No.11018/Pa.Ka.2(1)/2015-4 dated 22.09.2015 School Education Department, with all consequential and other service benefits.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.S.Gunasekaran
Government Advocate

O R D E R

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

2. The case of the petitioner is that he completed B.A. (Tamil) in the year 2004. Subsequently, he studied B.Ed., in the year 2006-2007 and joined M.A.(Tamil) degree course in Madurai Kamaraj University in the year 2006. Pursuant to the notification issued by Teacher Recruitment Board (TRB), the fourth respondent, for direct recruitment to the post of P.G Assistant for the year 2011-2012. He applied for the said post and was also selected in the year 2012. However, the appointment was cancelled by the respondents, due to the reason that there is a overlapping period of study in B.Ed., and M.A., (Tamil) degree course. Challenging the cancellation, the petitioner has filed a writ petition in W.P.No.21645 of 2013.

3. Mr.G.Sankaran, learned counsel appearing for the petitioner submitted that the Government has issued a clarification letter dated 22.09.2015, in and by which, the persons, who have studied the same course in overlapping period, are entitled for appointment. Thereafter, the petitioner gave a representation dated 30.11.2015 seeking appointment in the light of the clarification issued by the Government dated 18.11.2015. Since the representation was not considered, the present writ petition has been filed.

4. Heard Mr.G.Sankaran, learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Government Advocate, who accepts notice on behalf of the respondents.

5. 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 case, directs the second respondent to consider the representation of the petitioner dated 30.11.2015 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

With the above said direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1. The State of Tamil Nadu,
Rep. By its Principal Secretary to Government,
School Education Department,
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DPI Campus, College Road,
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- 4.The Chairman,
Teacher Recruitment Board,
DPI Campus, College Road,
Chennai - 600 006.

+1cc to Mr.G.Sankaran, Advocate, S.R.No.69370

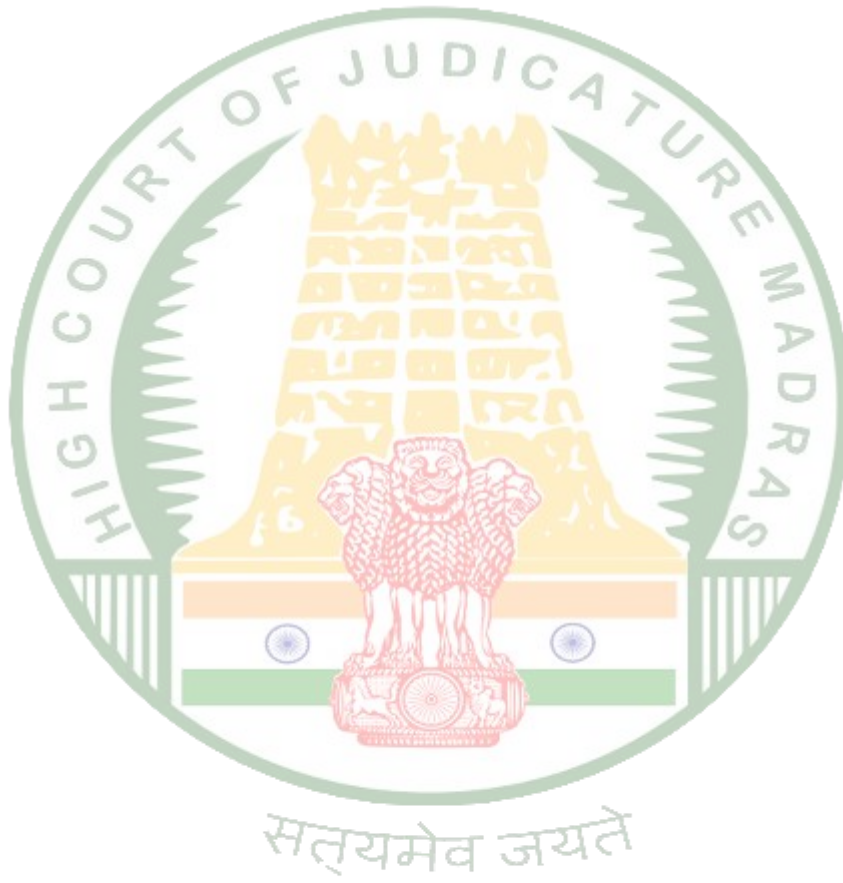
+1cc to the Government Pleader, S.R.No.69649

W.P.No.40411 of 2015

rsy(CO)
srg(05/01/2016)

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22.12.2015



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