

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2016

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.1411 of 2016

Dr.L.Shanthi

..Petitioner

Vs

1 The Chairman
Teachers Recruitment Board,
DPI Complex,
College Road, Chennai-6.

2 The Member Secretary,
Teachers Recruitment Board,
DPI Complex,
College Road, Chennai-6.

3 The Secretary to Government,
Higher Education Department,
Fort St. George,
Chennai-9.

..Respondents

Prayer: The Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider and pass orders for appointment of the petitioner as Assistant Professor in the Business Management (Subject Code: D30) based on her marks secured in the provisional list of the candidates after the oral interview (2nd Rank) published in July 2015 based on the representation made by the petitioner dated 04.01.2016 within a reasonable time.

For Petitioner : Mr.K.Venkataramani
Senior Counsel
For M.Muthappan

For Respondents : Mr.K.Karthikeyan
Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner would state that the petitioner has obtained her Bachelor Degree in Science in the year 1994 and Master Degree in Business Administration in the year 1996 and secured 63.83% marks. The petitioner got M.Phil in Madurai Kamarajar University in January, 2003 and completed her Ph.D in Management at Bharathiyar University and got her degree in July 2012. The petitioner has appeared in SLET and has come out successful in the year 1999 in the test conducted by Bharathidasan University.

3. The learned senior counsel appearing for the petitioner would submit that the second respondent invited applications for appointment to the post of Assistant Professor in the Tamil Nadu Collegiate Educational Service in the Government recognised colleges for the year, 2012. The petitioner applied for the said post and also received a call letter from the second respondent for the interview held on 19.12.2014. When the results were published, one Mrs. Dr.S.Usha had secured 32 marks while the petitioner secured 31 marks and therefore, she stood at Sl.No.2 in the provisional selection list. Since the first candidate viz., Dr.S.Usha did not report for duty, the petitioner is entitled for appointment to the said post. In this regard, the petitioner gave a representation dated 04.01.2016 to the first and second respondents, but it was not yet considered. Hence, the present writ petition.

4. Heard the submission of Mr.K.Venkataramani, learned counsel appearing for the petitioner.

5. Mr.K.Karthikeyan, learned Government Advocate, who accepts notice on behalf of the respondents would submit that since Dr.S.Usha has not joined duty, the third respondent would forward a proposal for appointment of the petitioner to the said post to the respondents 1 & 2 and the second respondent would pass appropriate orders.

6. This Court, considering the submissions made on either side and without going into the merits of the case, directs the respondents to consider the representation of the petitioner dated 04.01.2016 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sms
To

- 1 The Chairman
Teachers Recruitment Board,
DPI Complex,
College Road, Chennai-6.
- 2 The Member Secretary,
Teachers Recruitment Board,
DPI Complex,
College Road, Chennai-6.
- 3 The Secretary to Government,
Higher Education Department,
Fort St. George,
Chennai-9.

+ 1 cc to M/s. M.Muthappan, Advocate Sr.4404
+ 1 cc the Government Pleader Sr.4482

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PPA(CO)
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