

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 21.09.2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.2313 of 2014

and

M.P.No.1 of 2014

D.Mythili ... Petitioner

Vs.

- 1.The Government of Tamilnadu,
rep by its Secretary to Education,
Fort St. George,
Chennai-9.
- 2.The Chairman,
Teacher Recruitment Board,
4th Floor, EVK Sampath Salai,
DPI Compound, College Road,
Chennai-600 006.
- 3.The Chief Educational Officer,
CEO Office,
Namakkal,
Namakkal District. ... Respondents

Prayer: Petition filed seeking for a Writ of Mandamus, forbearing the first and the second respondents from insisting the petitioner to produce the eligibility certificate, for an appointment of the Secondary Grade Teacher, as she has completed the selection process even before the first eligibility test conducted by the second respondent on 12.7.2012 and consequently, to direct the first and the second respondents to consider the petitioner, for appointment as Secondary Grade Teacher, based on the G.O.Ms.No.153, School Education Department, dated 3.6.2010 and the advertisement No.2/2011, dated 9.11.2011, followed by the certificate verification conducted on 4.12.2011.

For Petitioner : Mr.D.Muthukumar
For Respondents : Mr.K.Rajendra Prasad,

ORDER

Heard.

2 This writ petition has been filed, praying that this Court may be pleased to issue a Writ of Mandamus, forbearing the first and the second respondents from insisting that the petitioner should produce the eligibility certificate, for being appointed as a Secondary Grade Teacher, as she had completed the selection process before the eligibility test had been conducted by the second respondent, on 12.7.2012, and consequently, to direct the first and the second respondents to consider the petitioner, for being appointed as a Secondary Grade Teacher, based on the Government Order, in G.O.Ms.No.153, School Education Department, dated 3.6.2010.

3 At this stage of the hearing of the writ petition, the learned counsel appearing on behalf of the respondents had submitted that, after the Government Order, in G.O.Ms.No.181, School Education (C2) Department, dated 15.11.2011, had come into force, the recruitment for appointment of teachers would be based on the candidates, passing the Teacher Eligibility Test, to be conducted by the appropriate Government, in accordance with the guidelines, framed by the National Council for Teacher Education. It had also been stated that in view of the coming into force of the Government order, in G.O.Ms.No.181, School Education (C2) Department, dated 15.11.2011, the recruitment process, which had been initiated, based on the advertisement, dated 9.11.2011, had been given up. Therefore, it is not open to the petitioner to claim that she should be appointed as a Secondary Grade Teacher, without passing the Teacher Eligibility Test. The said position had been made clear by a decision of a Division Bench of this Court, by its order, dated 3.11.2015, made in a batch of writ petitions, in W.P.No.4827 of 2012, etc. batch.

4 In view of the said submissions made by the learned counsel appearing on behalf of the respondents and in view of the order passed by the Division Bench of this court, dated 3.11.2015, in W.P.No.4827 of 2012, etc. batch, this Court is of the view that the relief prayed for by the petitioner, in the present writ petition, cannot be granted. Hence, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst. Registrar.

/true copy/

Sub Asst. Registrar.

vvk

To

- 1.The Secretary to Education,
The Government of Tamilnadu,
Fort St. George, Chennai-9.
- 2.The Chairman,
Teacher Recruitment Board,
4th Floor, EVK Sampath Salai,
DPI Compound, College Road,
Chennai-600 006.
- 3.The Chief Educational Officer,
CEO Office,
Namakkal,
Namakkal District.

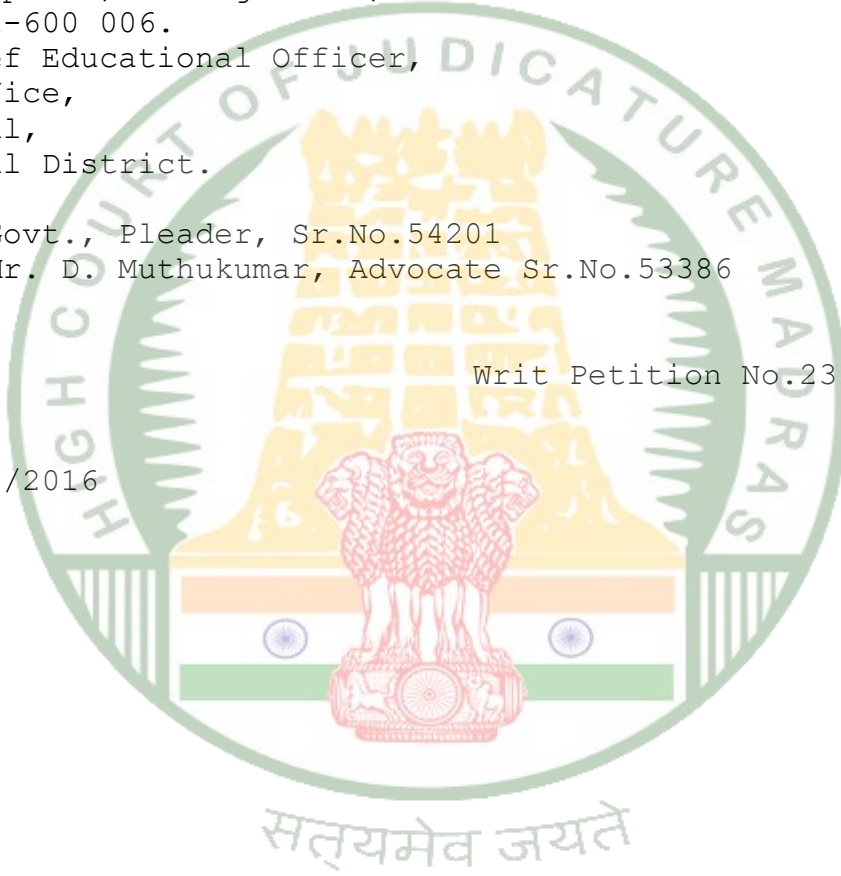
+1 CC to Govt., Pleader, Sr.No.54201

+1 CC to Mr. D. Muthukumar, Advocate Sr.No.53386

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AK (CO)

MD : 17/10/2016



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