

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON : 26.08. 2016

PRONOUNCED ON : 25.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE B. RAJENDRAN

Writ Petition No. 26928 of 2013

Writ Petition No. 29058 of 2014

Writ Petition Nos. 6729, 8881, 9296, 9621, 9622, 9623,
9624, 9625, 9626, 9637, 10652, 10696, 11772, 11773, 11237,
11238, 11857, 12181, 12917, 23178, 23185, 30982, 39270,
39271,

39272, 39273, 39274, 39275 and 39276 of 2015

and

Connected Miscellaneous Petitions

A.AKTHAR PARVEEN ... PETITIONER in WP No.26928 of 2013
G.PRAKASH ... PETITIONER in WP No.29058 of 2014
D.SUMATHI ... PETITIONER in WP No.6729 of 2015
R.INDHUMATHI ... PETITIONER in WP No.8881 of 2015
N.BOOBATHYRAJU ... PETITIONER in WP No.9296 of 2015
P.BHAARTHI DASAN ... PETITIONER in WP No.9621 of 2015
S.AMALA ... PETITIONER in WP No.9622 of 2015
G.CHITRA ... PETITIONER in WP No.9623 of 2015
T.INDIRA PRIYADARSINI ... PETITIONER in WP No.9624 of 2015
A.K.SARALA ... PETITIONER in WP No.9625 of 2015
I.SUSILA ... PETITIONER in WP No.9626 of 2015
P.ANLET REGINA ... PETITIONER in WP No.9637 of 2015
M.SRIDEVI ... PETITIONER in WP No.10652 of 2015
R.PARAMESWARI ... PETITIONER in WP No.10696 of 2015
K.SAILAJA ... PETITIONER in WP No.11772 of 2015
N.PRAKASH ... PETITIONER in WP No.11773 of 2015
K.GNANAVALLI ... PETITIONER in WP No.11237 of 2015
M.INDIRA ... PETITIONER in WP No.11238 of 2015
M.MUTHAMIL SELVI ... PETITIONER in WP No.11857 of 2015
R.GEETHA ... PETITIONER in WP No.12181 of 2015

P.ELUMALAI ... PETITIONER in WP No.12917 of 2015
S.SASIREKHA ... PETITIONER in WP No.23178 of 2015
M. SUBHA KIRUBAKIRI ... PETITIONER in WP No.23185 of 2015
K.PARIVALLAL ... PETITIONER in WP No.30982 of 2015
M.DEVI ... PETITIONER in WP No.39270 of 2015
H.KALAIVANI ... PETITIONER in WP No.39271 of 2015
S.KARTHIYAYINI ... PETITIONER in WP No.39272 of 2015
M.SARANYA ... PETITIONER in WP No.39273 of 2015
M.AMUTHA ... PETITIONER in WP No.39274 of 2015
A.JAFFER SADIQ ... PETITIONER in WP No.39275 of 2015
B.SATHIYAVANI ... PETITIONER in WP No.39276 of 2015

Versus

1. The District Employment Officer
Office of the District Employment Office
Cuddalore, Cuddalore District
Tamil Nadu
 2. Teachers Recruitment Board
rep. by its Member Secretary
4th Floor, E.V.K. Sampath Maligai
College Road, Chennai - 600 006
Tamil Nadu
 3. The District Collector
Cuddalore District
Cuddalore, Tamil Nadu
Tamil Nadu
- .. Respondents in WP.26928/13

- 1 THE STATE OF TAMILNADU
REP. BY ITS PRINCIPAL SECRETARY TO
GOVERNMENT SCHOOL EDUCATION DEPARTMENT
SECRETARIAT CHENNAI-600 009.
- 2 TEACHERS RECRUITMENT BOARD
REP. BY ITS CHAIRMAN 4TH FLOOR EVK SAMPATH
MAALGAI DPI COMPOUND COLLEGE ROAD CHENNAI-
600 006.

3 THE DIRECTOR OF SCHOOL
EDUCATION DPI COMPOUND COLLEGE ROAD
CHENNAI-600 006
... RESPONDENT in WP No.29058 of 2014

1 THE CHAIRMAN
TEACHERS RECRUITMENT BOARD 4TH FLOOR EVK
SAMPATH BUILDING DPI CAMPUS COLLEGE ROAD
CHENNAI-6.

2 THE MEMBER SECRETARY
(SCHOOL EDUCATION) TEACHERS RECRUITMENT
BOARD CHENNAI-6.
... RESPONDENT in WP No.6729 of 2015

1 THE MEMBER SECRETARY
TEACHERS RECRUITMENT BOARD 4TH FLOOR EVK
SAMPATH MALIGAI DPI COLLEGE ROAD CHENNAI-6.
... RESPONDENT in WP No.8881 of 2015

1 STATE OF TAMILNADU
REP.BY ITS SECRETARY SCHOOL EDUCATION
DEPARTMENT FORT ST. GEORGE CHENNAI-600009

2 THE TEACHERS RECRUITMENT
BOARD DPI COMPOUND COLLEGE ROAD CHENNAI-
600006

3 THE DIRECTOR
DEPARTMENT OF EMPLOYMENT AND TRAINING GUINDY
CHENNAI-600032

4 N.PREMALATHA
(EMP. REGISTRATION NO.200F05761)

5 P.EZHIL
(EMP. REGISTRATION NO. 1993F07788)

6 VIJAYALAKSHMI
(EMP. REGISTRATION NO. 1994F00789)

7 M.PARAMESWARI
(EMP. REGISTRATION NO. 1997F07828)

8 MURUGANANDAN T
(EMP. REGN.NO.1998M07909) RESP. 4 TO 8
SERVICE THROUGH TEACHERS RECRUITMENT BOARD
DPI COMPOUND COLLEGE ROAD CHENNAI-600006

1 THE STATE OF TAMIL NADU
REP BY THE SECRETARY EDUCATION DEPARTMENT
FORT ST. GEORGE CHENNAI 9

2 THE TEACHERS RECRUITMENT
BOARD BY ITS MEMBER SECRETARY EVK SAMPATH
MALIGAI COLLEGE ROAD CHENNAI 6
... RESPONDENT in WP No.9621,9622,9623,9624,
9625,9626,10652, of 2015

1 THE CHAIRMAN
TEACHERS RECRUITMENT BOARD 4TH FLOOR EVK
SAMPATH MAALIGAI DPI COMPOUND COLLEGE ROAD
CHENNAI 6

2 THE MEMBER SECRETARY
TEACHERS RECRUITMENT BOARD 4TH FLOOR EVK
SAMPATH MAALIGAI DPI COMPOUND COLLEGE ROAD
CHENNAI 6

3 THE DIRECTOR OF SCHOOL
EDUCATION COLLEGE ROAD CHENNAI 6
... RESPONDENT in WP No.9637 of 2015

1 THE GOVERNMENT OF TAMIL NADU
REP THRO DIRECTOR OF SCHOOL EDUCATION
COLLEGE ROAD CHENNAI 600 006

2 TEACHERS RECRUITMENT BOARD
REP BY MEMBER SECRETARY GOVERNMENT OF TAMIL
NADU E.V.K.SAMATH MALIGAI DPI COMPOUND
COLLEGE ROAD CHENNAI 600 006.

3 THE DISTRICT EMPLOYMENT
OFFICER DEPARTMENT OF EMPLOYMENT OFFICER
DEPARTMENT OF EMPLOYMENT AND TRAINING
PERAMBALUR DISTRICT PERAMBALUR 621 212
... RESPONDENT in WP No.10696 of 2015

1 STATE OF TAMILNADU
REP.BY ITS SECRETARY PERSONNEL AND
ADMINISTRATIVE REFORMS DEPARTMENT FORT ST.
GEORGE CHENNAI-600 009

2 STATE OF TAMILNADU
REP.BY ITS SECRETARY SCHOOL EDUCATION
DEPARTMENT FORT ST. GEORGE CHENNAI-600009

3 THE DIRECTOR OF SCHOOL
EDUCATION DPI CAMPUS COLLEGE ROAD CHENNAI-
600006

- 4 THE CHAIRMAN
TEACHERS RECRUITMENT BOARD DPI CAMPUS
COLLEGE ROAD CHENNAI-600 006
- 5 THE DIRECTOR OF EMPLOYMENT
AND TRAINING GUINDY CHENNAI-600 032
... RESPONDENT in WP No.11772,11773 11857, of 2015
- 1 STATE OF TAMILNADU
REPD. BY ITS SECRETARY EDUCATION DEPARTMENT
FORT ST. GEORGE CHENNAI-600 009.
- 2 THE CHAIRMAN TEACHERS RECRUITMENT BOARD DPI COMPOUND COLLEGE
ROAD CHENNAI-600 006.
... RESPONDENT in WP No.11237,11238, of 2015
- 1 THE CHAIRMAN
TEACHERS RECRUITMENT BOARD 4TH FLOOR EVK
SAMPATH MALIGAI DPI CAMPUS COLLEGE ROAD
CHENNAI-6.
- 2 THE DIRECTOR OF SCHOOL
EDUCATION DPI CAMPUS COLLEGE ROAD CHENNAI-
6.
- 3 THE JOINT DIRECTOR OF SCHOOL
EDUCATION (VOCATIONAL) DPI CAMPUS COLLEGE
ROAD CHENNAI-6.
- 4 THE CHIEF EDUCATIONAL OFFICER
MANJAKUPPAM CUDDALORE-1 CUDDALORE DISTRICT.
... RESPONDENT in WP No.12181 of 2015
- 1 THE STATE OF TAMILNADU
REP. BY ITS SECRETARY PERSONNEL AND
ADMINISTRATIVE REFORMS DEPARTMENT FORT ST.
GEORGE CHENNAI-9.
- 2 THE CHAIRMAN
THE TEACHERS RECRUITMENT BOARD DPI COMPOUND
COLLEGE ROAD CHENNAI-6.
- 3 THE DIRECTOR DEPARTMENT OF
EMPLOYMENT AND TRAINING GUINDY CHENNAI-32.
... RESPONDENT in WP No.12917,23178,23185 of 2015

2 THE DIRECTOR OF
EMPLOYMENT AND TRAINING GUINDY CHENNAI-32

3 THE ASSISTANT DIRECTOR
DISTRICT EMPLOYMENT OFFICER CUDDALORE
DISTRICT

4 THE SECRETARY
SCHOOL EDUCATION DEPARTMENT FORT ST. GEORGE
CHENNAI-9

5 THE DIRECTOR OF SCHOOL
EDUCATION COLLEGE ROAD CHENNAI-6

6 TEACHER RECRUITMENT BOARD
REP. BY ITS MEMBER SECRETARY COLLEGE ROAD
CHENNAI-6

7 V.VIMALADEVI
W/O.KARTHIKEYAN NO.28 PARARASI ROAD
KATTUMANNER KOIL CUDDALORE 608 301
... RESPONDENT in WP No.30982 of 2015

1 THE STATE OF TAMILNADU
REP. BY ITS SECRETARY DEPARTMENT OF SCHOOL
EDUCATION FORT.ST.GEORGE CHENNAI-6.

2 THE DIRECTOR OF SCHOOL
EDUCATION DPI CAMPUS COLLEGE ROAD
CHENNAI. ...1st & 2nd Respondent in
WP.No.39270 to 39276/15

3 THE CHIEF EDUCATIONAL
OFFICER THIRUVALLUR DISTRICT.
THIRUVALLUR.

... RESPONDENT in WP No.39270 of 2015

3 THE CHIEF EDUCATIONAL
OFFICER THIRUVANNAMALAI.
...3rd RESPONDENT in WP No.39271 of 2015

3 THE CHIEF EDUCATIONAL
OFFICER KARUR DISTRICT.
... 3rdRESPONDENT in WP No.39272,39273 of 2015

3 THE CHIEF EDUCATIONAL
OFFICER VIRUTHU NAGAR.
...3rd RESPONDENT in WP No.39274 of 2015

3 THE CHIEF EDUCATIONAL
OFFICER THENI DISTRICT.

...3rdRESPONDENT in WP No.39275 of
2015

1 THE STATE OF TAMILNADU
REP. BY ITS SECRETARY DEPARTMENT OF SCHOOL
EDUCATION FORT.ST.GEORGE CHENNAI-9.

2 THE DIRECTOR OF SCHOOL
EDUCATION DPI CAMPUS COLLEGE ROAD CHENNAI.

3 THE MEMBER-SECRETARY
TEACHERS RECRUITMENT BOARD 4TH FLOOR EVK
SAMPATH MALLIGAI COLLEGE ROAD CHENNAI-6.

...3rd RESPONDENT in WP No.39276 of 2015

WP No. 26928 of 2013:- Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the first respondent herein to renew the petitioner's employment exchange Registration No. CUD 1997F 00000 618 forthwith, consequently directing the first respondent herein to sponsor the petitioner's name to the second respondent for the post of Computer Instructor or any post called for.

WP No.29058 of 2014 Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus to call for the records relating to in G.O.Ms.No. 130 dated 05.09.2014 issued by the 1st respondent and consequent notification/advertisement issued by the 2nd respondent Teachers Recruitment Board in advertisement No. 07/2014 dated 13.10.2014 and quash the same and consequently direct the respondents herein to appoint the petitioner and similarly placed terminated computer instructors based on their employment, office seniority on preferential basis.

WP No.6729 of 2015
Directing the respondents herein to call upon the Petitioner for certificate verification to the post of Computer Instructor for Government Higher Secondary Schools based on the Advertisement No.7/2014 dated 13.10.2014 issued by Member Secretary, Teachers Recruitment Board, within the time to be stipulated by this Honourable Court

WP No.8881 of 2015
Directing the respondent herein to select and appoint the petitioner herein as Computer Instructor and fix the seniority over and above the immediate junior as per the State Seniority List within an appropriate time or other orders, this Honourable Court

WP No.9296 of 2015
calling for the selection list for recruitment of Computer Instructors through employment exchange registration State-wide seniority dated Nil published on the official website of the second respondent Board on 20.3.2015 and quash the same so far as the selection of the respondents 4 to 8 is concerned and consequently direct the second respondent Board to select and appoint the petitioner to the post of Computer Instructor

WP No.9621 of 2015 to 9626/15:
calling for the records of the 2nd respondent relating to the provisional selection list of candidates for the post of Computer Instructors published in the web site on 23.3.2015, quash the same and direct the respondents to include the petitioner in the list as per her representation dt 25.3.2015

WP No.9637 of 2015
directing the respondents to select the petitioner for appointment as Computer Instructor based on her participation in the Certificate Verification held on 2.3.2015 with CV No.1665 taking into consideration of her M.Sc., (Computer Science) qualification and appoint her with effect from the date of appointment of the candidates who have been included in the provisional selection list released on 20.3.2015 and grant her all consequential benefits

WP No.10652 of 2015
calling for the records of the 2nd respondent relating to the provisional selection list of candidates for the post of Computer Instructors published in the web site on 20.3.2015 quash the same and direct the respondents to include the petitioner in the list under the Ex-Serviceman category

WP No.10696 of 2015
Calling for the records pertaining to the Notification/Advertisement bearing No.07/2014 dated 13/10/2014 issued by the 2nd Respondent and quash the same as arbitrary, illegal and violates the Articles 14 and 309 of the constitution of India and consequently directing the Respondents to give adequate Representation for the candidates from the family of serving defence personal under priority category for the post of computer science Instructor for the Government Higher Secondary school functioning under the 1st Respondent

WP No.11772 of 2015,11773/15 and 11857/15:
calling for the records of the respondent Board so far as the non selection of the petitioner published on the official website of the respondent Board on 20.3.2015 and quash the same and consequently direct the respondent Board to apply G.O.Ms.No. 188, dated 28.12.1976 by implementing G.O.Ms.No.1161 dated 22.11.1984 by treating all the categories under Group-II of G.O.Ms.No.188, Personnel and

Administrative Reforms Department, dated 28.12.1976 equally by making selection on the basis of employment exchange seniority of all the candidates within Group-II by fixing a ratio amongst the categories

WP No.11237 & 11238 of 2015

Calling for the records of the second respondent Board dated nil published on the official website of the second respondent Board on 20.03.2015 so far as it declares the petitioner as not within cut off zone and quash the same and consequently direct the second respondent Board to select and appoint the petitioner to the post of Computer Instructor by granting first priority for the dependents of serving personnel / Ex-servicemen as mandated in G.O.Ms. No.1161, dated 22.11.1984

WP No.12181 of 2015

Directing the Respondents 1 to 4 to appoint the Petitioner to the post of Computer Instructor under SC category in anyone of the vacancies at Cuddalore District based on seniority / ranking in the selection conducted by the 1st Respondent Teachers Recruitment Board following the Rule of Reservation, by considering the representation submitted by the Petitioner dated 15.4.2015

WP No.12917 of 2015

Declaring that reservation of 107 posts out of 652 posts of Computer Instructors for priority category of Intercaste Couple and 20 posts out of 652 posts of Computer Instructors for Destitute Widows is arbitrary and violative of Article 14 and 16 of the Constitution of India and consequently direct the respondents to fill up the 142 posts of Computer Instructors remaining vacant after filling up 490 post of Computer Instructors out of the 652 posts of Computer Instructors only based on Employment Exchange Seniority as per decision of the Honourable Supreme Court in its order dated 7.3.2014 in C.A. No.3342 of 2014 etc read with the order dated 10.2.2015 in Contempt Petition (Civil) No.488 of 2014 in CA.No.3342/14 without Considering any priority Category for the said 142 post.

WP No.23178 of 2015 & 23185/15:

Directing the respondents to implement the provisional selection list for the post of Computer instructors issued by the 2nd respondent to the Priority category and consequently to appoint the petitioner to the post of Computer instructors under ICM Priority Category within a specified period fixed by this Honourable Court

WP No.30982 of 2015
calling for the records relating to the impugned order in
Aa2/7745/2014 dt 8.12.2014 passed by the 3rd respondent and
Thopa/44860/2014 dt 22.12.2014 passed by the 2nd respondent
and the consequential order in Na. Ka. No. 65/A8/2014 dt
12.1.2015 and the provisional selection list of BC priority
category candidates from Sl. Nos. 342 to 375 dt 20.3.2015
published by the 6th respondent herein and quash the same as
being illegal, arbitrary, unconstitutional and consequently
direct the 2nd and 3rd respondents to provide the petitioner
name in the Backward Class priority category under Land
Acquired Class and to direct the 6th respondent to appoint
the petitioner to the post of Computer Instructor

WP No.39270 of 2015
Directing the 3rd Respondent to act upon its proceedings
Na.Ka.No.2275/A6/2015 dt 02.04.2015

WP No.39271 of 2015
Directing the 3rd Respondent to act upon its proceedings
Na.Ka.No.5557/A2/2013 dt 02.04.2015

WP No.39272 of 2015
Directing the 3rd Respondent to act upon its proceedings
Na.Ka.No.1821/A2/2015 dt 02.04.2015

WP No.39273 of 2015
Directing the 3rd Respondent to act upon its proceedings
Na.Ka.No.1821/A2/2015 dt 02.04.2015

WP No.39274 of 2015
Directing the 3rd Respondent to act upon its proceedings
Na.Ka.No.1520/A4/2014 dt 02.04.2015

WP No.39275 of 2015
Directing the 3rd Respondent to act upon its proceedings
Na.Ka.No.4022/A5/2014 dt 02.04.2015

WP No.39276 of 2015
Directing the 3rd Respondent to act upon its proceedings Vide
its list of selected candidates as serial no 347/C2728

For Petitioners:

Mr.P.R.Thiruneelakandan
in WP.No.26928/13
Mr.R.nalliyappan
in WP.No.8881/15
Mrs.Dakshayani Reddy
in WP.No.9296/16
11857/15,11772/15,11773/15

Mrs.Hema Sampath Senior Counsel
for Mrs.R.Meenal in
WP.9621 to 9626/15
Mr.P.Rajendran in WP.9637/15
Mr.V.Ravi in WP.10652/15

Mr.R.Aravindan in WP.10696/15

Mrs.Nalinichidambaram Senior Counsel
for Mrs.C.Uma in WP.12917/15

Mrs.S.Sasirekha partyin-person
in WP.No.23178/15

Mrs.M.Subha Kirubakari party in
person in WP.23185/15

Mr.T.Sundaravadanam in WP.30982/15

Mr.R.Thiagarajan SC for
Mr.M.Muthuppan in WP.39276/15

No Appearance for
Petitioners : WP.No.29058/14,6729/15,11237/15
11238/15, 12181/15,39270 to 39275/15

For Respondents: Mr.K.Venkatramani Additional
Advocate General Assisted by
Mr.A.Kumar Special Government Pleader
for 1st Respondent in WP.2905/15
9296/15,9621 to 9626/15, 10652/15
11237/15,11238/15,39270 to 39276/15

For R2 in WP.11772/15,11773/15
11857/15, For R4 in WP.30982/15

Mr.T.N.Rajagopalan
Special Government Pleader
Assisted by Mrs.P.Rajalakshmi
For Respondent in WP.8881/15
For R1 and R2 in WP.6729/15,9637/15
For R1 in WP.12181/15
For R2 in WP.29628/13,29058/14,
9296/15,9621 to 9626/15,9621 to
9626/15, 10652/15, 10696/15 11237/15,
11238/15, 12917/15,23178/15 23185/15

For R3 in WP.39276/15
For R4 in WP.11772/15 11773/15,
11857/15
For R6 in WP.30982/15

COMMON ORDER

By consent of counsel on either side, all these writ
petitions are taken up for consideration.

2. The issue involved in all these writ petitions
revolve around the selection and appointment to the post of
Computer Instructors on the basis of communal rotation.
These writ petitions can broadly be classified into several

groups, however, the relief prayed for in all the writ petitions are identical. For example, the crux of the relief sought for in WP No. 29058 of 2014 and WP No. 9637 of 2015 is for issuance of a Writ of Mandamus directing the respondents to select the petitioners based on their employment exchange registration seniority on preferential basis. Similarly, the prayer in WP Nos. 11772, 11773 and 11857 of 2015 is for issuance of a Writ of Mandamus directing the respondents to consider the petitioners for selection and appointment to the post of Computer Instructors on DEX/DSP priority category. An identical prayer has been sought for in WP No. 6729 of 2015 wherein a direction is sought to the respondents to call upon the petitioner for certificate verification inasmuch as her name was not sponsored by employment exchange on the ground that she has not renewed her name as on the date of the notification inviting application for the post of Computer Instructor. In yet another group of writ petitions namely WP Nos. 9621 to 9626, 8881 10652, 11237, 11238 and 30982 of 2015, the petitioners seek for a direction to the respondents to select and appoint them to the post of Computer Instructors by giving first priority for the dependants of serving personnel, Ex-servicemen/Service Personnel as per GO Ms. No.1161, P&AR Department dated 22.11.1984 and under the category of Land Acquisition Priority category respectively.

3. For the purpose of appreciating the facts involved in this batch of 31 writ petitions, it is relevant to go through the averments in WP No. 11857 of 2015 as a test case. The brief averments made by the petitioner in WP No. 11857 of 2015 is as follows.

4. According to the petitioner in WP No. 11857 of 2015, the Government of Tamil Nadu has sanctioned 1880 posts of Computer Instructors to impart Computer Education to students studying in Class 11 and 12 in Higher Secondary Schools in the State. For this purpose, earlier, appointments were made on consolidated pay basis before sanctioning of the posts. After the posts were sanctioned, the Government sought to absorb the teachers who were working on consolidated pay. This action of the Government was subjected to challenge before this Court and ultimately, on appeal to the Honourable Supreme Court, it was directed that those who are working on consolidated pay and who have passed the recruitment test alone shall be absorbed and those who failed in such test shall be terminated from service and the resultant vacancies shall be filled up by following employment exchange seniority. As per the direction of the Honourable Supreme Court, the Teachers Recruitment Board (in short 'Board') has issued a notification dated 13.10.2014 by publishing the distribution of vacancies for the post of Computer Instructor. Pursuant to the same, the petitioner was called for a certificate verification by a communication dated 23.02.2015. According to the petitioner, her husband is serving as a Soldier in Army and therefore, she will come within the purview of priority category of dependent of

serving personnel. The petitioner was also issued with a certificate certifying that she is dependent of ex-serviceman and she also registered it with the employment exchange concerned.

5. It is the contention of the petitioner in WP No. 11857 of 2015 that she attended the certificate verification held on 02.03.2015, but when the select list was published, she was shocked to notice that the entire priority quota has been filled up with persons belonging to inter-caste marriage category and destitute women priority category. It is also stated that the name of the petitioner was not included in such list of selected candidates. According to the petitioner, the distribution of vacancies does not prescribe any quota exclusively for inter-caste marriage or destitute widows category and therefore, the action of the respondents in ignoring the communal rotation in the matter of filling up the post of Computer Instructor is illegal. When the petitioner approached the respondents to ascertain the reason as to why her name was omitted in the select list, it was informed that priority category is being followed as per GO Ms. No.188 dated 28.12.1976. According to the petitioner, the above said order in GO Ms. No.188 dated 28.12.1976 contains 5 groups of priority category. As far as the petitioner is concerned, she comes under the category of dependent of serving personnel. It is contended by the petitioner that amendments were made to the said GO Ms. No.188 dated 28.12.1976 by issuing GO Ms. No.1161 dated 22.11.1984 whereby the category of ex-serviceman was brought under existing item No.(i) under group-II. Therefore, according to the petitioner, she is entitled to priority under Group-II item (i) for employment through employment exchange as per GO Ms. No.1161 dated 22.11.1984 whereby the category of Ex-servicemen has been given priority over other categories. The petitioner also placed reliance on the judgment dated 01.11.2002 passed by the Larger Bench of this Court whereby it was held that reservation for inter-caste marriage category is unconstitutional and held that reservation for children of freedom fighters and dependents of Ex-servicemen alone was constitutionally valid.

6. According to the petitioner in WP No. 11857 of 2015, contrary to the policy of the State, the Board is applying GO Ms. No.188 dated 28.12.1976 while filling up the posts of Computer Instructor, which would defeat the very purpose for which the Government order was issued. While applying reservation for various categories under Group-II, the Board has first selected all the candidates available under destitute widow category. In the event of candidates not being available, then alone, candidates from inter-caste marriage has to be selected. When no one is available in the inter-caste marriage category, selection has to be made from among those who are in the category of dependents of Ex-servicemen, however, it was not done by the respondents. This according to the petitioner is against the well settled principle of law that there cannot be a class within a class.

According to the petitioner, inasmuch as all the categories are under one group, they ought to have been treated equally and non-consideration of the same is contrary to Article 14 and 16 of The Constitution of India. According to the petitioner, the candidates in Group-II ought to have been equally treated and the selection must be based upon the employment exchange seniority. If the methodology adopted by the respondents is considered, then the claim of the petitioner for selection and appointment to any post will never reach the zone of consideration and in such event, she could not get appointed.

7. The respondents have opposed the writ petition by filing separate counter affidavits. The first respondent has filed a counter affidavit in WP No. 12181 of 2015 specifically contending that G.O. Ms. No.130, School Education (SEZ(2) Department dated 05.09.2014 was issued for recruiting 652 Computer Instructors apart from 175 existing vacancies that arose by reason of the order passed by the Honourable Supreme Court on 19.11.2009. According to the first respondent, pursuant to the order of the Honourable Supreme Court and in accordance with GO Ms. No.130 dated 05.09.2014, the Board has issued the notification dated 13.10.2014 for recruitment of 652 Computer Inspectors based on State wide Employment Registration Seniority for the year 2014. After getting a list from the employment exchange and on the basis of the employment exchange seniority, a certificate verification was conducted between 27.02.2015 and 04.03.2015 for those candidates who were sponsored by the employment exchange.

8. According to the first respondent, the Government issued GO Ms. No.188, P&Ar Department dated 28.12.1976 in respect of order of priorities to be followed in recruitments conducted through sponsorship of candidates by employment exchange. As per the said Government Order, the order of priorities mentioned in 'Group II' of GO Ms. No.188 dated 28.12.1976, as amended by GO Ms. No.229, P&AR Department dated 07.04.1988 is as follows:-

"Group-II:-

- (i) Destitute Widows
- (ii) Inter-Caste Married Couple (where one of the spouses belongs to Scheduled Caste/Scheduled Tribe)
- (iii) Ex-servicemen and wives, sons and unmarried daughters of serving military personnel and of ex-servicemen and one son or one daughter or wife or one dependent or the widow of ex-servicemen provided that the concerned Ex-servicemen themselves have not utilised the priority
- (iv) Indian Nationals returning from Burma/Sri Lanka and East African Countries of Kenya, Uganda and Tanzania due to repatriation
- (v) Members of family (including members of Scheduled Caste/ Scheduled Tribe) whose lands have

been acquired for Government purpose etc.,

9. By placing reliance on the above order of priority indicated in the Government Order, the first respondent would contend that during the selection process in respect of priority categories, order of priority is followed as per the Government Order in force. According to the first respondent, only after exhausting one priority category (according to the seniority of the candidate in that particular category) next priority category shall be considered for selection. Accordingly, 'Destitute Widow' and 'Inter-caste Married Couple' priority category candidates have been considered before considering the 'Dependent of Ex-Servicemen category/ Dependent of service personnel'. As per the order passed by the Government, the selection process has been resorted to and it reached upto SC turn under 'inter-caste married couple' priority category with date of registration as on 27.09.2010. In such circumstances, those who do not come within the purview of priority category could not be considered for selection. In any event, the rules of procedure have been scrupulously followed in the selection of candidates in priority category and it is in accordance with law.

10. The first respondent also placed reliance on an order passed by this Court in WP (MD) No. 5956 of 2014 wherein the petitioner therein made a claim for priority in the matter of employment as his land was taken over by the government by resorting to acquisition proceedings. This Court, considering the rival submissions, observed that the categories i.e., "Destitute Widow, Inter-caste married couple and Ex-servicemen" are placed in serial Nos. 1, 2 and 3 and the petitioner therein is placed in serial No.5 (Land Acquisition Category) in Group II and therefore, he cannot assert, as a matter of right, to seek for a direction to sponsor his name by overlooking those persons above him in Group-II Priority category. By placing reliance on the above order passed by this Court, the first respondent would contend that the selection list was published on 20.03.2015 and forwarded to the user departments for issuing appointment orders. Therefore, at this stage, the relief sought for in these batch of writ petitions need not be considered.

11. The fifth respondent in WP No. 11857 of 2015 namely the Director of Employment and Training, Chennai has filed a counter affidavit contending that on the basis of the request made by the Board, a list of candidates was forwarded and based on the same, a certificate verification was also conducted in which the petitioners participated. The fifth respondent also placed reliance on GO Ms. No.188, P&AR Department dated 28.12.1976 in which the order of priority to be followed in the matter of selection process has been indicated as per which in Group-I, the disabled Ex-Servicemen and the members of the family of the Armed Forces personnel killed in action or disabled in action and/or totally unfit for re-employment have been indicated. The Group-II consists

of (a) the destitute widow (ii) Inter caste married couple (iii) ex-service-men/dependent of Ex-servicemen/ Dependent of service personnel, Legal heirs of Freedom Fighters/Tamil Savants (iv) Burma Repatriates/Srilankan Repatriates (vi) Persons are indicated. According to the fifth respondent, an amendment was made to GO Ms. No.188, P&AR Department dated 28.12.1976 by issuing GO Ms. No.1161, P&AR Department dated 22.11.1984 and even as per the amendment, there was no change in the order of priority. The amendment has been issued only as regards the eligibility of priority to be accorded to the members of the family of Ex-Servicemen category. Therefore, according to the fifth respondent, the selection process resorted to by the Board is in accordance with the Government Orders in force and the candidates have been given priority in the matter of employment in accordance with the Government Orders in force.

12. On behalf of the Teachers Recruitment Board, an additional counter has also been filed in WP No. 9405 of 2015 contending that pursuant to the orders of the Supreme Court of India on 07.03.2014 in Civil Appeal Nos. 3342 of 2014 and in accordance with GO Ms. No.130, School Education (SE2(2) Department dated 05.09.2014, the Board has issued the notification dated 13.10.2014 for direct recruitment of 652 Computer Instructors. During the selection process, the Board selected the candidates sponsored by the employment exchange for direct recruitment of Computer Instructors based on state level employment exchange seniority duly following the existing Government rules. According to the counter affidavit, the Board strictly follows the 200 point roster system as defined in the Tamil Nadu State and Subordinate Service Rules both in the previous and present recruitment drive. In the earlier recruitment drive, the roster point ended with 195 (I Rotation) and therefore the present recruitment commences with 196 (I Rotation). Therefore, the communal rotation for selection of Computer Instructors in the 552 vacancies were arrived as given below:-

- I. Rotation : From 196 to 200 (5)
- II. Rotation : From 1 to 200 (200)
- III. Rotation : From 1 to 200 (200)
- IV. Rotation : From 1 to 200 (200)
- V. Rotation : From 1 to 47 (47)

13. Therefore, according to the Board, they have strictly followed GO Ms. No.142, P&AR Department dated 14.10.2009 which prescribes 1 : 4 ratio with communal rotation to be followed for selection of priority and non-priority candidates in the recruitment made on the basis of employment exchange registration seniority. A tabulation has also been furnished in the counter which is extracted below:-

Priority /Non-priority	Community	General	General Tamil Medium	Women	Women Tamil Medium	Total
Priority Non-priority	GT	31 79	10 21	0 49	0 12	41 161
Priority Non-priority	BC	26 70	8 17	0 42	0 10	34 139
Priority Non-priority	BCM	3 10	1 2	0 5	0 2	4 19
Priority Non-priority	MBC/DNC	20 53	6 13	0 31	0 8	26 105
Priority Non Priority	SC	16 37	4 11	0 23	0 6	20 77
Priority Non-priority	SCA	2 8	0 4	1 4	1 0	4 16
Priority Non-priority	ST	0 3	0 1	0 1	1 0	1 5
Total		358	98	156	40	652

14. It is stated that apart from the above, 3% reservation for differently abled candidate was also provided and it was also followed by them in the selection process.

15. Above all, it is stated that based on the certificate verification process, a merit list was prepared and the select list for the notified vacancies was arrived at. As per the counter, after identifying the number of vacancies earmarked for various categories, the selection for each category was arrived at based on merit by adopting the following three steps namely:-

First step :

(i) As against the number of vacancies identified for open quota, irrespective of caste, sex, physically challenged etc., everyone should be allowed to compete based on merits.

(ii) The meritorious candidates should be first selected as against the above vacancies under open quota. Thereafter,

Second Step :

(iii) After completing the first step, moving on to the vertical reservation categories, selection has to be made for each category from among the remaining candidates belonging to the particular reserved category (vertical) based on merits.

Third step :

(iv) After completing the second step, horizontal reservation which cuts across the vertical reservation has to be verified as to whether the required number of candidates who are otherwise entitled to be appointed under the horizontal reservation have been selected under the vertical reservation.

(v) On such verification, if it is found that sufficient number of candidates to satisfy the special reservation (horizontal reservation) have not been selected, then required corresponding number of special reservation candidates shall have to be taken and adjusted/accommodated as against social reservation categories by deleting the corresponding number of candidates therefrom.

(vi) Even while filing up the vacancies in the vertical reservation, if, sufficient number of candidates falling under the horizontal reservation have been appointed, then, there will be no more appointment exclusively under the horizontal reservation.

16. In addition to the above, it is stated in the counter affidavit that out of the total number of appointments reserved in the categories referred to in clause (a), in the case of appointment made by direct recruitment to group "C" posts, 5% in each such category shall be reserved for Ex-servicemen and subject to availability of such candidates, the appointment shall be made in turn and in the order of rotation as specified in Schedule III-B. However, if no qualified and suitable ex-serviceman belonging to a particular category is available for appointment against the reserved turn, such turn shall be filled up by a candidate other than an ex-serviceman, but belonging to the particular category and if no such candidate is available in the category for appointment against the reserved turn, such turn shall be carried forward as provided in clause (b).

17. In the counter affidavit, reference was made to G.O. Ms. No.102, P&AR Department dated 16.07.2010 for reservation of destitute widows. As per the counter affidavit, an amendment was issued to Rule 21 in the proviso to Sub-rule (b) for the expression "the posts in the scale of pay, the minimum of which does not exceed Rs.4,000/-" the expression "the posts which Grade Pay does not exceed Rs.2,400/-" shall be substituted. It is applicable for the post of "C" Grade only, and the grade pay was revised to Rs.2,800/- as per GO Ms. No.32, P&AR Department dated 22.03.2013. In respect of reservation of 5% of vacancies for Ex-servicemen in Group "C" Posts in State Government Service, orders have been issued by the Government as per GO Ms. No.762, Public (Ex-servicemen) Department, dated 29.08.2002. However, the post of Computer Instructors in Government Higher Secondary Schools comes under a separate category in Tamil Nadu Educational

Subordinate Service (Adhoc) Rules and the scale of pay was fixed to B.T. Teacher Scale i.e., Rs.9300-34800 with grade pay of Rs.4,500/-. Therefore, Schedule III-B and IV are not applicable to the direct recruitment of Computer Instructors.

19. Lastly, it is stated in the counter that in recruitments through employment exchange seniority, during selection process in respect of selection of priority categories, 'order of priority' is followed as per GO Ms.No.188, P&AR Department dated 28.12.1976. The Teachers Recruitment Board, being a nodal agency has followed the orders issued by the Government from time to time and in such circumstances, interference of this Court is not warranted.

19. Mrs. Nalini Chidambaram, learned Senior counsel appearing for some of the petitioners in this batch of cases, would contend that as per the order passed by the Honourable Supreme Court on 19.11.2009 and 07.03.2004, 652 posts of Computer Instructors have to be filled up based on employment exchange seniority. She would also contend that the Government issued GO Ms.No.55, Personnel and Administrative Reforms Department dated 08.04.2010 in exercise of powers conferred under Article 309 of the Constitution by amending Schedule III of Rule 22 of the General Rules of Tamil Nadu State and Subordinate Services prescribing the revised 200 point roster system for filling up the vacancies. Thus, according to the learned Senior counsel, the 652 vacancies has to be filled up by resorting to the 200 point roster based on which the Government also passed the above GO Ms. No.55 dated 08.04.2010. While so, under the 200 point roster, the destitute widows can claim rights of reservation only for posts having grade pay of Rs.2800 and less, but for the Computer Instructors, the grade pay is Rs.4600/-. Therefore, according to the learned senior counsel for the petitioner, the selection and appointment of destitute widows for the post of Computer Instructors is contrary to the 200 point roster system.

20. The learned Senior counsel for the petitioner also brought to the notice of this Court the information dated 23.06.2016 obtained from the Personnel and Administrative Reforms Department by invoking the Right to Information Act. As per the information, it is stated that the Ex-servicemen can claim reservation only for Group C posts. As per GO Ms. No.111, Personnel and Administrative Reforms Department dated 09.08.2010, Group 'C' posts relate to employees in posts drawing Grade pay of Rs.1400 and above but below Rs.4400/-. Therefore, Ex-servicemen cannot claim reservation in Computer Instructor posts, the grade pay for such post is Rs.4600/-. It is further contended that as per the notification dated 13.10.2014 of the Board for filling up the posts of 652 Computer Instructors, there was no reference made to either GO Ms. No.55 dated 08.04.2010 or GO Ms. No.188 dated 28.12.1976 to show that priority has been accorded to various categories of candidates. According to the learned Senior counsel for the petitioner, as per the notification dated

13.10.2014 of the Board, the posts have to be filled up only by following the guidelines issued in GO Ms. No.55, P&AR Department dated 08.04.2010 which deals with 200 point roaster. The provisional list for selection to the post of Computer Instructors containing 150 candidates by following GO Ms. No.188 dated 28.12.1976 is merely an executive instruction and did not have the force of law. Out of the 150 candidates, 20 belonged to physically handicapped category and 130 belong to priority category. The 130 vacancies have to be filled up by following employment exchange seniority and 200 point roaster as per GO Ms. No.55 dated 08.04.2010. However, the reservation relating to priority and non-priority categories are still in the form of Government Orders and there was no Rules in force. Therefore, there cannot be any priority category and the candidates belonging to either inter-caste marriage or ex-service men or those who lost their land in the acquisition proceedings cannot be given preference in the matter of selection and appointment to the post of Computer Instructors. Rather, according to the learned Senior counsel for the petitioner, the guidelines laid down in GO Ms. No.55 dated 08.04.2010 amending Schedule III of Rule 22 of the General Rules of Tamil Nadu State and Subordinate Services prescribing revised 200 point roaster system has to be followed for filling up the vacancies.

21. Mrs. Hema Sampath, learned Senior counsel appearing for the petitioner in WP No. 9621 to 9626 of 2015 would contend that the very selection process resorted to by the respondents is illegal. There cannot be any classification among the same classes in one category. According to the learned senior counsel, in the select list published by the Board, the persons in Serial Nos. 2, 5, 81, 109 and 531 were selected for the post of Computer Instructors even in the year 2011 when 192 posts were filled up. However, in the list of selected candidates, once again, their names were shown as if they are fresh candidates. This has deprived the petitioners of their chance to get selected to the post. The respondents, without any basis, have reserved as many as 108 posts for those who have contracted inter-caste marriages, which is opposed to the 200 point roaster system. The petitioners in WP Nos. 9621 to 9626 of 2015 have attended the certificate verification, however, due to the fault of the respondents in not following the prescribed procedures, the petitioners could not be selected.

22. Mr. Venkataramani, learned Senior counsel appearing for the respondents would contend that the respondents have followed proper procedures prescribed by the Government in various Government Orders. According to the learned Additional Advocate General, only after exhausting one priority category, next priority category shall be considered for selection. This is in tune with the amendments made to the order passed by the Government in GO Ms. No. 188 dated 28.12.1976 from time to time. As per the amendment, 'Destitute Widow' and 'Inter-caste Married Couple' priority category candidates have been considered first and those in

the category of 'Dependent of Ex-Servicemen category/ Dependent of service personnel' were considered next. This is more so that the selection process has been resorted to and it reached upto SC turn under 'inter- caste married couple' priority category with date of registration as on 27.09.2010, being the last selection process. Therefore, according to the learned Additional Advocate General, the claim of the petitioners who do not come within the purview of priority category could not be considered for selection. The learned Additional Advocate General therefore prayed for dismissal of the writ petitions. However, it is submitted that the claim of the petitioner in WP No. 26928 of 2013 is concerned, she was provisionally selected under B.C. (Muslim) category and the concerned Department was directed to issue appointment order to her. Similarly, the petitioner in WP Nos. 23178, 23185, 39270, 39271, 39272, 39273, 39274, 39275 and 39276 of 2015 can be selected under priority categories, subject to fulfilling of all the requisite qualifications and if they comes under the priority categories

23. I heard the learned counsel on either side and perused the materials placed on record. During the year 1999-2000, 1880 computer instructors were appointed on contract basis in the higher secondary schools across the State for imparting education to the students about the usage of computers. However, for such appointment, posts were not sanctioned. On the basis of representations received from such contract appointees, the government decided to absorb the 1800 posts of Computer Instructors by conducting a special test through the Teachers Recruitment Board without insisting B.Ed., qualification. This decision of the Government to absorb the contract employees was subject to challenge before this Court by the B.Ed., Degree holders. The Division Bench of this Court in W.A. No. 1216 of 2007 dated 22.08.2006 held that as a one time measure exemption shall be granted to the Government to conduct examination. The Judgment of the Division Bench was challenged before the Honourable Supreme Court in Civil Appeal No. 927 of 2009. The Honourable Supreme Court, by Judgment dated 09.07.2009, held that a special recruitment test has been conducted on 12.10.2008. The Honourable Supreme Court finding that the contract employees appointed as Computer Instructors were working for a long time, confirmed the order passed by the Division Bench of this Court, however, held that the minimum eligible marks fixed at 50 is arbitrary. Based on the order of the Honourable Supreme Court dated 09.07.2009, a second recruitment test was conducted on 24.01.2010 in which 652 candidates failed and therefore, they were terminated from the contract employment. Questioning the same, writ petitions were filed before this Court and the Division Bench of this Court, in W.A. No. 1707 of 2013, upheld the decision of the Government in terminating the failed candidates and directed the government to follow the policy of recruitment of teachers through the Board. As against this order dated 18.09.2013, Civil Appeal No. 3243 of 2014 has been filed before the Honourable Supreme Court. By Judgment dated

07.03.2014, the Honourable Supreme Court set aside the directions and directed the Government that the recruitment to the post of 652 vacancies shall be made on the basis of employment exchange seniority. Thereafter, the Government issued G.O. Ms. No.130, School Education Department dated 05.09.2014 to fill up the vacancies. Following this, on 13.10.2014, the Board issued a notification for filling up the post and the Director of Employment Exchange and Training, Chennai sent a communication enclosing the proposed list of candidates. Between 27.12.2015 and 20.03.2015, certificate Verification was conducted by the Board and on 20.03.2015, a selection list was published and appointment orders have been issued except 133 candidates who have been appointed on priority category.

24. Before dealing with the rival contentions, it is necessary to look into the order passed by the Government in GO Ms. No.188, Personnel and Administrative Reforms (Personnel-P) Department dated 28.12.1976 in which certain guidelines have been issued for according priority to various categories in the matter of employment. This Government Order was passed for revising or re-issuing the order of priority on the lines of the priorities laid down by the Government of India. By this Government Order, it was ordered that the priorities in regard to provision of employment assistance through employment exchanges shall be as indicated in the annexure to the said order. In this Government order dated 28.12.1976, reference was made to the earlier order passed by the Government of India on 25.12.1971 revising the priority category from time to time. Subsequently, G.O. Ms. No.1161, P&AR Department dated 22.11.1984 was issued wherein Group-II Ex-servicemen were ordered to be given preference. Subsequently, on the basis of the recommendations made by a Committee constituted by the Government, inter-caste married couple were ordered to be given preference and therefore, the Government included this category in Grade-II of annexure to G.O. Ms. No.188 dated 28.12.1976 by issuing G.O. Ms. No.939, P&AR Department dated 24.09.1986. Thereafter, Government issued G.O. Ms. No.229, P&AR Department dated by which priority was ordered to be given in the first preference to destitute widows by bringing yet another amendment to G.O. Ms. No.188 dated 28.12.1976. With this background, let me analyse the claim of the petitioners.

25. As regards the claim of the petitiners contending that the respondents have not properly followed the rule of reservation, it is contended by the learned Additional Advocate General appearing for the respondents that as per the established practice, only after exhausting one priority category the next priority category shall be considered for selection. Accordingly, 'Destitute Widow' and 'Inter-caste Married Couple' priority category candidates have been considered before considering the 'Dependent of Ex-Servicemen category/ Dependent of service personnel'. As per the order passed by the Government, the selection process has been

resorted to and it reached upto SC turn under 'inter- caste married couple' priority category with date of registration as on 27.09.2010. Therefore, according to the learned Additional Advocate General, those who do not come within the purview of priority category could not be considered for selection. In any event, the rules of procedure have been scrupulously followed in the selection of candidates in priority category and it is in accordance with law. I find force in the said submission of the learned Additional Advocate General appearing for the respondents that only after exhausting the priority in one category, resort will be made to proceed with the selection by giving priority to the next category. This, in my considered view, is the proper procedure to be adopted by the respondents in the matter of rule of reservation and I find no reason to interfere with the same.

26. In an identical situation, WP (MD) No. 5956 of 2014 has been filed before this Court challenging the communication dated 05.03.2014 of the District Employment Officer, Ramanathapuram. In that case, the petitioner claimed preference to employment on the ground that the land belonging to his family was acquired by the Government. However, by the communication dated 05.03.2014, the District Employment Officer has stated that his name will be sponsored only after sponsoring all the persons coming under the category of Destitute Widows, Ex-servicemen under the priority category. By order dated 11.02.2015, this Court, while dismissing the writ petition, observed that when other categories of persons were placed above than the petitioner in the Group-III, the petitioner cannot claim that he should be preferred above those persons and given employment. In that case also, this Court relied on the order of preference given to the annexure to G.O. Ms. No.188, P&AR Department dated 28.12.1976 and the subsequent amendments made thereto. Ultimately, this Court held that only after exhausting or completing the sponsorship of candidates under the Ex-servicemen, the name of the petitioner, who comes under the category of "members of family whose lands have been acquired" will be considered. It was further held that when several categories of persons are placed in one group, sponsorship should be made by considering all categories of persons one after the another, according to their category serial numbers. This Court also held that the communication sent by the District Employment Officer, stating that destitute widows, inter-caste marriage couple and ex-servicemen will be first considered and thereafter the claim of the petitioner for sponsorship of employment will be considered is valid and it needs no interference. I respectfully concur with the conclusion arrived at by this Court in the above order. The findings rendered in the above order dated 11.02.2015 will squarely apply to the facts of this case.

to consider them on DEX/DSP priority categories and to select them to the post of Computer Operators. Similarly, the petitioners in WP Nos. 8881, 9621 to 9626, 10652, 11237, 11238 and 30982 of 2015 have been filed with a prayer to direct the respondents Board to select and appoint the petitioners to the posts of computer instructions by granting first priority for the dependants of serving personnel ex-servicemen/service personnel as per G.O. Ms. No.1161, P&AR Department dated 22.11.1985. This prayer is contrary to the amendments made to G.O. Ms. NO.188 dated 28.12.1976 whereby first preference was ordered to be given to destitute widows.

28. The petitioner in WP No. 12181 of 2015 prays for issuing a direction to the respondents to appoint her in the SC (W) quota for the post of Computer Instructors. According to the respondents, the petitioner's claim to consider her under SC (W) category could not be considered as her date of registration does not fall within the zone of selection under the SC (W) category. In such view of the matter, no direction could be issued to the respondents to select the petitioner to the post of Computer Instructor.

29. As regards the claim of the petitioner in WP No. 26928 of 2015 to direct the respondent to appoint her as Computer Instructor under B.C. (M) category, it is seen that the Board has provisionally selected the petitioner under B.C. (Muslim) category and forwarded it to the concerned Department for issuing appointment order to her. Therefore, no further order is required to be passed in this writ petition and accordingly, this writ petition is closed.

30. Similarly, in so far as WP Nos. 39270 to 392786, 23178 and 23185 of 2015 are concerned, it is stated that the respondents have selected them under priority categories however, appointment orders have not been issued. Therefore, if the petitioners fulfil all the requisite qualifications and if they comes under the priority categories, the respondents shall issue orders of appointment in their favour.

31. As regards, WP No. 6729 of 2015, the petitioner seeks for a Mandamus to call upon her for certificate verification by calling sponsored list from employment exchange. It is seen from the prayer sought for by the petitioner that her name was not sponsored by the employment exchange inasmuch as she has not even renewed her employment exchange registration. In other words, on the date of notification issued by the Board, the petitioner's employment exchange registration has lapsed without being renewed. In such circumstances, a Mandamus as sought for by the petitioner to call upon her for certificate verification cannot be issued to the respondents and consequently, WP No. 6729 of 2015 has to be dismissed.

recording the submissions of the respondents that the petitioner was provisionally selected under B.C. (Muslim) category and the concerned Department was directed to issue appointment order to her.

(ii) WP Nos. 23178, 23185, 39270, 39271, 39272, 39273, 39274, 39275 and 39276 of 2015 are disposed of with a direction to the respondents to select them under priority categories, if they fulfil all the requisite qualifications and if they comes under the priority categories

(iii) Writ Petition No. 29058 of 2014, Writ Petition Nos. 6729, 8881, 9296, 9621, 9622, 9623, 9624, 9625, 9626, 9637, 10652, 10696, 11772, 11773, 11237, 11238, 11857, 12181, 12917 and 30982 of 2015 are dismissed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1.The Secretary
State of Tamil Nadu School
Education Department
Fort St.George Chennai-9

2.The Chairman
Teachers Recruitment Board
4th floor EVK Sampath Maaligai
DPI Compound college Road Chennai-6

3. Teachers Recruitment Board
rep. by its Member Secretary
4th Floor, E.V.K. Sampath Maligai
College Road, Chennai - 600 006
Tamil Nadu

4. The District Employment Officer
Office of the District Employment Office
Cuddalore, Cuddalore District
Tamil Nadu

5. The District Collector
Cuddalore District
Cuddalore, Tamil Nadu
Tamil Nadu

6. The Director
Department of Employment and Training
Guindy Chennai-600 032

7. The District Employment Officer
Department of Employment and Training
Perambalur District Perambalur

8. The Secretary Personnel and Administrative
Reforms Department
Fort St. George Chennai-9

9. The Director of School Education
DPI Campus College Road, Chennai-6

10. The Joint Director of School Education
(Vocational) DPI Campus College Road Chennai-6

11. The Chief Educational Officer
Manjakuppam Cuddalore-1
Cuddalore District

12. The Assistant Director
District Employment officer Cuddalore District

13. The Chief Educational Officer
Thiruvallur District Tiruvallur

14. The Chief Educational Officer
Tiruvannamalai

15. The Chief Educational officer
Karur District

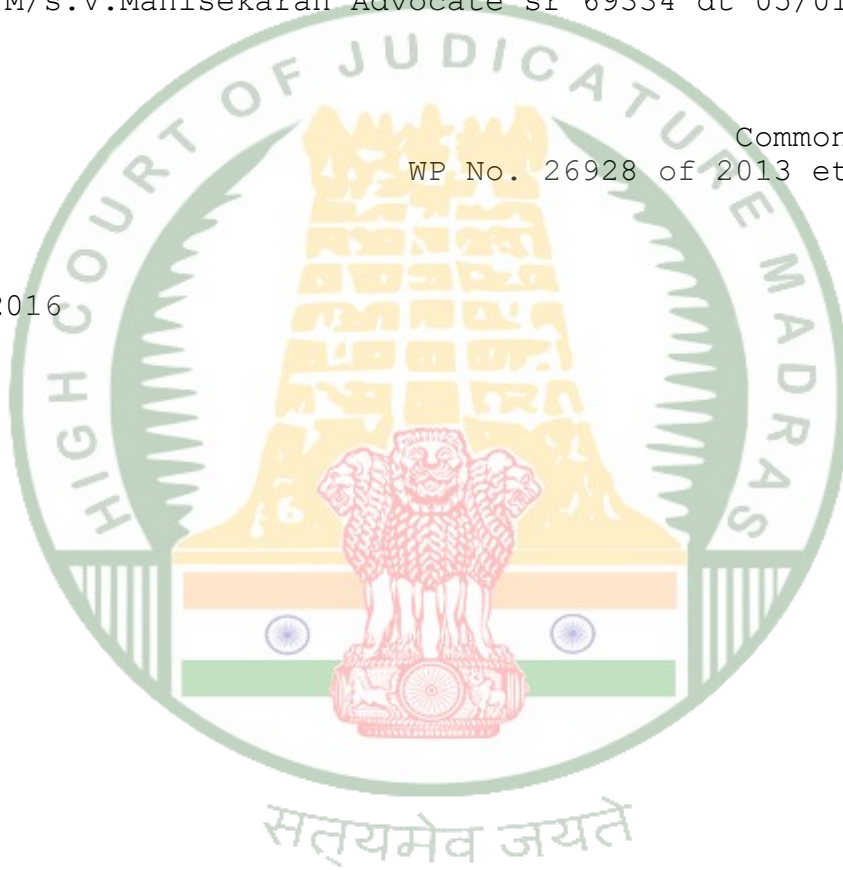
16. The Chief Educational officer
Virudhunagar

17. The Chief Educational officer
Teni District

+1 cc to Mr.R.Nalliaappan Advocate sr 69593
+6 ccs to Mrs.R.Meenal Advocate sr 69388
+1 cc to Mr.M.Muthappan Advocate sr 69506
+1 cc to Mr.V.Ravi Advocate 69335
+1 cc to P.R.Thiruneelakandan Advocate sr 69882
+1 cc to Ms.Subha Kirubakari party in person sr 69555
+1 cc to Ms.S.Sasi Rekha party in person sr 69556
+1 cc to M/s.Dakshayani Reddy Advocate sr 69435 dt23/12/16
+1 cc to M/s.C.Uma Advocate sr 69422 dt 05/01
+1 cc to M/s.V.Manisekaran Advocate sr 69334 dt 05/01

Common order in
WP No. 26928 of 2013 etc., batch

rsy(co)
aa22/12/2016



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