

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.6377 of 2014

and

MP.No.1 of 2014

S.Narasimmhan

..Petitioner

Vs

1.State of Tamil Nadu,
Rep.by the Principal Secretary to Government,
School Education (TRB) Department,
Secretariat, Chennai - 600 009.

2.Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai - 600 006.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to provide for five percent reservation for the Ex-Servicemen for all the Graduate Teachers post to be filled up by the Teacher's Recruitment Board pursuant to the Teachers eligibility test conducted on 18.8.2013.

For Petitioner : Mr.R.Rajaram

For Respondents : Mr.K.Thangapandi
Government Advocate

O R D E R

The relief sought for in this writ petition is for a direction to the respondents to provide five per cent of reservation for the Ex-Servicemen for all the Graduate Teachers post to be filled up by the Teacher's Recruitment Board.

2.Though the petitioner seeks reservation of five per cent for Ex-Servicemen for all the Graduate Teachers post, the same is not substantiated or supported under the relevant service Rules. In the event of not establishing the five per cent posts of reservation for Ex-Servicemen under the service Rules, the prayer as such sought for in this writ petition cannot be

considered. However, the second respondent filed a counter stating that the Graduate Teachers post belongs to Group-B post. Five per cent of reservation for Ex-servicemen is applicable only to the direct recruitment of Group-C post as per Rule 22(a b). Hence, the five per cent reservation for Ex-servicemen in respect of Group-B post as claimed by the petitioner does not arise at all.

3.Thus, it is made clear that the reservation of five per cent for Ex-servicemen is not applicable in respect of Group-B post and it is applicable only for Group-C post. In view of the Rule 22 (a b), the question of granting the benefit of reservation of five per cent for Ex-servicemen in relation to Group-B post does not arise at all. Thus, no further consideration on the grounds raised in this writ petition needs to be undertaken.

4.Accordingly, this Writ Petition stands dismissed. Consequently connected miscellaneous petition is closed. However, there shall be no order as to costs.

ms

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Principal Secretary to Government,
The State of Tamil Nadu,
School Education (TRB) Department,
Secretariat, Chennai - 600 009.

2.The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai - 600 006.

+1cc to Government Pleader Sr.73403

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RV(CO)
RVR 14/11/2017