

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.31071 of 2017 and
WMP Nos.34071 and 34072 of 2017

Simson Rajkumar. V

.. Petitioner

-vs-

1. The State of Tamilnadu
rep. by the Secretary,
Higher Education,
Fort St. George, Chennai - 9

2. The Teacher Recruitment Board
Rep. by its Member Secretary,
4th Floor, E.V.R.Sampath Maligai,
DPI Compound, College Road,
Chennai - 600 006

.. Respondents

Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for entire records of the 2nd respondent pertaining to the impugned notification / advertisement no.2/2016 dated 27.02.2016 for direct recruitment of senior lecturers / lecturers / junior lecturers in District Institute of Education and Training and Government Teacher training institutes under the State Council of Educational Research and Training, Tamilnadu for 2016 and quash the same and consequently direct the 2nd respondent to conduct re-examination.

For Petitioner :: Mr.M.Dharani Dharan
For Respondents:: Mr.V.Jayaprakashnarayanan
Special Government Pleader

O R D E R

This Writ Petition has been filed challenging the whole notification / Advertisement No.2 of 2016 dated 27.02.2016 for direct recruitment of Senior Lecturers / Lecturers / Junior Lecturers in District Institute of Education and Training and Government Teacher Training Institutes under the State Council

of Educational Research and Training, Tamilnadu and quash the same and consequently direct the 2nd respondent to conduct re-examination.

2. Learned counsel for the petitioner submitted that the petitioner is a well qualified candidate for the post of Senior Lecturers / Lecturers and Junior Lecturers, as he has obtained B.A.Degree (Tamil) in April, 1998, M.A.(Tamil) April, 2000, M.Phil (Tamil) in the year 2002, B.Ed Degree also in Tamil in the year 2003. In addition thereto, he has also obtained M.Ed degree in Education in the month of June, 2009. Above all, petitioner has acquired P.Hd Degree and awaiting for viva voce and he was waiting for suitable employment in any of the colleges, either private or Government colleges, in the state of Tamilnadu. It is, at this point of time, the impugned notification / Advertisement No.2 /2016 dated 27.02.2016 was issued inviting applications from eligible candidates for the said post. The petitioner also eagerly applied and took part in the written examination held on 17.09.2016, but, the questions asked in the said written examination in tamil language are meaningless and they are unsustainable. Moreover, the question paper contained questions in two languages, i.e, English and Tamil, whereas, the questions were asked in English and followed by the tamil translation of english, in this regard, the Tamil translated questions were not properly translated.

3. Attaching a copy of the question paper which has been translated from English to Tamil, learned counsel for the petitioner submitted that a perusal of the same would show that Teachers Recruitment Board has not properly framed the questions. Further, petitioner took part in the written examination and the selection process was also over. Thereafter, petitioner has applied to the Teachers Recruitment Board, Chennai with regard to his result, for which, he was informed by the Teachers Recruitment Board, Chennai, vide letter dated 20.12.2016 that the selection is purely provisional and is subject to the outcome of several writ petitions pending before this Court and the decision of user department on eligibility of candidate. Adding further, learned counsel for the petitioner drawing the notice of this Court to petitioner's representation dated 03.10.2016 submitted that the petitioner has brought to the notice of the Director, TRB, Chennai, but there was no response. Therefore, left with no other option, the petitioner has come to this Court.

4. Heard the learned counsel for the petitioner, learned Special Government Pleader appearing for the respondents and perused the documents available on record.

5. It is pertinent to note that the said representation of the petitioner dated 03.10.2016 has been answered by Teachers

Recruitment Board, Chennai on 26.10.2016 stating that the petitioner has failed to give his representation within time, because as per addendum dated 12.07.2016, para III, candidates were given time up to 28.09.2016, it shows that the petitioner all the time slept over the matter.

6. That apart, the stand of the petitioner pleaded above has been proved wrong, in the light of the communication dated 23.08.2017 issued by the Public Information Officer cum Additional Member -I (incharge), Teachers Recruitment Board, Chennai and a perusal of the same shows that as on 23.08.2017, no writ petition is pending with regard to the Teachers Recruitment Board or challenging the validity of the impugned notification. Therefore, this Court is not inclined to entertain this Writ Petition.

7. Secondly, when the petitioner's grievance is against the notification and also framing of question paper, namely, translation of some of the questions from English to Tamil, he should have immediately approached the authorities concerned without wasting time, whereas, in the present case, for better appreciation, the important dates are given as under:-

Date of Notification : 27.02.2016
Commencement of Sale of application: 15.07.2016
Last date of receipt of application: 30.07.2016
Written Examination held on : 17.09.2016

Since the written examination was also over on 17.09.2016, it is not known how the petitioner can come to this Court after a long lapse of time. Therefore, the petitioner is held guilty of laches and the writ petition stands dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-

Asst.Registrar (CS III)

/true copy/ जयते

Sub Asst. Registrar

ssd

To

1. The State of Tamilnadu
rep. by the Secretary,
Higher Education,
Fort St. George, Chennai - 9

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2. The Teacher Recruitment Board
Rep. by its Member Secretary,
4th floor, E.V.R.Sampath Maligai,
DPI Compound, college Road,
Chennai - 600 006

+ 1 cc to Mr.M.Dharani Dharan Advocate,SR.85197

+ 1 cc to The Govt.Pleader, SR.85901

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nr 28/12/2017



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