

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.6491 of 2015

D.Artensia Mary

.. Petitioner

-vs-

1. The State of Tamil Nadu  
rep. by its Principal Secretary to Government  
School Education Department  
Fort St.George, Secretariat  
Chennai 600 009
  2. The Director of Elementary Education  
Chennai 600 006
  3. The Chairman  
Teachers Recruitment Board  
College Road  
Chennai 600 006
- .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the third respondent to verify the certificate of the petitioner and appoint her as a Physical Education Teacher pursuant to the notification issued by the Teachers Recruitment Board dated 08.05.2013 in respect of Direct Recruitment of Special Teachers and confer all the consequential benefits.

For Petitioner :: Mr.D.Lourthu Paul Belson

For Respondents:: Mr.K.Dhananjayan  
Special Government Pleader

ORDER

The relief sought for in this writ petition is to direct the third respondent to verify the certificate of the petitioner and appoint her as a Physical Education Teacher pursuant to the notification issued by the Teachers Recruitment Board dated 08.05.2013.

2. The learned counsel for the writ petitioner contended that the writ petitioner is entitled for appointment based on

the employment exchange seniority and accordingly her certificate has to be verified and an opportunity for appointment to be provided.

3. The learned Special Government Pleader appearing on behalf of the respondents contended that now the procedure of selection has been modified and the question of appointing any person based on the employment seniority is not in force.

4. In this regard, paragraph-6 of the counter affidavit filed by the third respondent is extracted as under:-

"6. It is submitted that in pursuance to the orders of the Hon'ble Court, the Board sought for clarification from Government regarding the recruitment procedure to be followed in the selection of Special Teachers. Vide Boards letter No.3271/B5/2013 Dated: 25.1.2014 and 25.3.2014. In view of clarification sought for, Government vide in G.O.Ms.No.185 SE (TRB) Department Dated: 17.11.2014 have issued orders that the existing system of recruitment following the criteria of seniority in Employment Registration be replaced with written competitive examination. Applications shall be invited from eligible persons by Open advertisement in the news paper."

5. In view of the fact that the procedure for selection itself has undergone a change, it is left open to the writ petitioner to submit application and participate in the competitive process and get appointment to the post of Physical Education Teacher. In this view of the matter, no further adjudication on the ground raised in this writ petition needs to be undertaken. Accordingly, the writ petition stands dismissed. Consequently, M.P.No.1 of 2015 is also dismissed. However, no order as to costs.

Sd/-

Asst.Registrar (CS IV )

/true copy/

Sub Asst. Registrar

ss

To

1. The Principal Secretary to Government  
School Education Department  
Fort St.George, Secretariat  
Chennai 600 009

2. The Director of Elementary Education  
Chennai 600 006

3. The Chairman  
Teachers Recruitment Board  
College Road  
Chennai 600 006

+1cc to Mr.D.Lourthu Paul Belson, Advocate in sr.no.60932

W.P.No.6491 of 2015

NR 13/09/2017



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