



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :19.12.2017

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.15004 of 2014

N.Annalakshmi

... Petitioner

Vs.

1.The Chairman,
Teachers Recruitment Board,
Chennai.

2.The Secretary,
Teachers Recruitment Board,
4th Floor, E.V.K.Sampath Maligai,
College Road, Chennai -6

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 30.08.2014 in the light of G.O.Ms.No.188 dated 28.12.1976 issued by the Personnel and Administrative reforms (Personal-P) Department and give appointment to the petitioner for the post of B.T. Assistant.

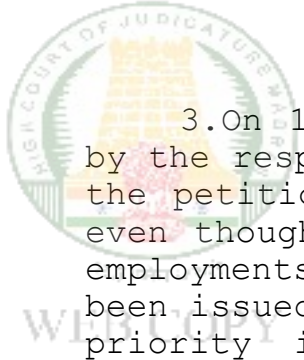
For Petitioner : Mr.R.Sathish

For Respondents : Mr.S.Kumar
Additional Government Pleader

ORDER

This writ petition has been filed seeking a direction, directing the respondents to consider the petitioner's representation dated 30.08.2014 in the light of G.O.Ms.No.188 dated 28.12.1976 issued by the Personnel and Administrative reforms (Personal-P) Department and give appointment to the petitioner for the post of B.T.Assistant.

2.The case of the petitioner is that the petitioner belongs to Hindu Maravar Community which comes under the B.C.category and she had acquired B.Lit., B.Ed., in Tamil in the year 2013 and she is eligible to be appointed for the post of B.T.Assistant. The petitioner had appeared teachers eligibility test examination, which had been conducted by the respondents on 18.08.2013 and her enrollment Number is 13TE03203188. In the said examination, she had secured 83 marks in paper-II and her total weightage mark was 57.92.



3. On 10.08.2014, 12,000 selected candidates list was published by the respondents for the post of B.T. Assistant. But unfortunately, the petitioner's name was not included in the said selection list, even though she is entitled for getting priority in the Government employments in the light of G.O.Ms. 188 dated 28.12.1976, which had been issued by the Government of Tamil Nadu. The said G.O., provides priority in Government employments to the inter-caste married couples, where one of the spouse belongs to SC/ST category. Since she got married the person, who belongs to schedule caste community, she is entitled to get the benefits of G.O.Ms.No.188, dated 28.12.1976 issued by the Personnel and Administrative reforms (Personnel-P) Department. But the petitioner's name has not been considered for the appointment of B.T. Assistant and she made a representation to the second respondent on 30.08.2014, but till now, no order has been passed on the said representation. Hence, she filed this Writ petition before this Court.

4. The learned Additional Government Pleader appearing for the respondents would submit that only when there is any caste of priority arises, the said G.O.Ms.No.188 dated 28.12.1976 issued by the Personnel and Administrative reforms (Personal-P) Department will be looked into and priority will be given to the suitable candidates. But, no such situation arises in the case of the petitioner. Hence, she was not sponsored and her name was not published in the said list.

5. In view of the above, this Court directs the respondents to consider the case of the petitioner, if any such situation arises in future while conducting examination for any such posts subject to the production of necessary documents, including community certificate and relevant documents regarding the said priority to be availed by the petitioner.

6. With the above directions, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The Chairman,

Teachers Recruitment Board, Chennai.

2. The Secretary,

Teachers Recruitment Board, 4th Floor,

E.V.K. Sampath Maligai, College Road, Chennai -6

+1CC TO SPECIAL GOVERNMENT PLEADER, SR NO.93813

W.P(MD) No.15004 of 2014

19.12.2017