



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2017

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

WP(MD)No.16159 of 2014
and
MP(MD)No.1 of 2014

S.Vijayalakshmi

... Petitioner

vs.

1)The Chairman,
Teachers Recruitment Board,
College Road,
E.V.K. Sampath Buildings,
Chennai-6.

2)The Director,
Employment and Training Department,
Head Office,
Thiru V.Ka.Industrial Estate,
Guindy, Chennai.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, to direct the Respondents to consider the name of the petitioner for selection under priority category in Group II Item V, Land Acquisition for the post of B.T. Assistant, Chemistry and appoint the petitioner as BT Assistant, Chemistry.

For Petitioner : Mr.P.Chandrasekaran for
Mrs.Chamundi Bose

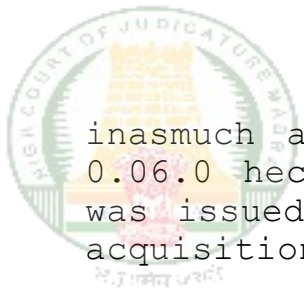
For Respondents : Mr.R.Karthikeyan
Additional Government Pleader

ORDER

The prayer in the writ petition is for issuance of a Writ of Mandamus, to direct the respondents to consider the name of the petitioner for selection under priority category in Group II Item V, Land Acquisition for the post of B.T. Assistant, Chemistry and appoint the petitioner as BT Assistant, Chemistry.

<https://hcservices.ecourts.gov.in/hcservices/>

2.The petitioner is one of the dependants of the land loser

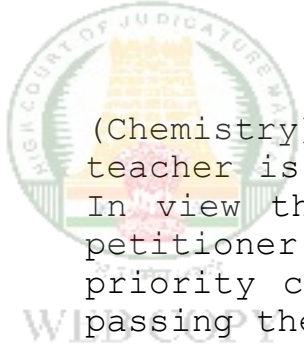


inasmuch as the lands covered in S.Nos.1188/4B to an extent of 0.06.0 hectares were acquired for which the petitioner's family was issued with priority certificate dated 06.03.2002 under land acquisition award.

3.The learned counsel for the petitioner relied upon the order passed by this Court in W.P(MD)Nos.7613 to 7615 of 2008 dated 24.11.2009(P.Ramasubbu and two others vs. The Chairman, Teachers Recruitment Board, Chennai and others) and submitted that in identical circumstances, this Court has granted the similar relief.

4.The petitioners in the aforementioned case sought for issuance of a Writ of Mandamus, directing the respondents to consider their names for selection under priority category in Group II, Item V, Land Acquisition for the post of P.G. Assistant (Botany) and appoint them within a specified time limit, since in addition to payment of compensation for acquisition of lands belonging to them, priority certificate under Land Acquisition Award was issued to the petitioners therein, but priority was not given in the matter of employment, hence, the aforementioned writ petitions were filed seeking the aforementioned direction and finally, this Court by order dated 24.11.2009 issued a direction to the respondents therein to give priority to the petitioners therein under land acquisition category for appointment as P.G. Assistant(Botany) and B.T. Assistant(Zoology). The said order also was unsuccessfully challenged in W.A(MD)Nos.496, 500 and 501 of 2010 dated 11.04.2011 and the Hon'ble Division Bench by order dated 11.04.2011 confirmed the order passed in W.P(MD)Nos.7613 to 7615 of 2008 dated 24.11.2009.

5.The case of the petitioner is similar to the aforementioned case relied on by the petitioner. The reason is, when the land of the petitioner's father covered in the aforementioned survey number was acquired, the Tahsildar has also issued a priority certificate to consider the petitioner for employment under land acquisition category. In spite of repeated representations, the respondents have not come forward to consider the case of the petitioner on priority basis. The petitioner has completed B.Sc degree in Chemistry in 1993 and B.Ed., degree in 1995 and registered her name in the District Employment Office, Theni, for appointment as B.T.Assistant(Chemistry) on 04.01.1995. Unfortunately, she is not able to get any employment. Moreover, when the Government issued G.O.Ms.No.188, Personnel & Administrative Reforms(Per.P) Department, dated 28.12.1976 to give priority in the matter of employment to the members of the family whose lands have been acquired for public purposes as well as for the project of the public sector undertaking, the respondents have not come forward to consider the priority certificate dated 06.03.2002 issued to the petitioner for the post of B.T. Assistant



(Chemistry). But, the requisite qualification for becoming a teacher is a pass in TET. The petitioner has not passed the TET. In view thereof, the respondents shall consider the case of the petitioner for the post of B.T. Assistant (Chemistry) under priority category as and when the petitioner stands qualified by passing the TET.

With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

- 1) The Chairman,
Teachers Recruitment Board,
College Road,
E.V.K. Sampath Buildings,
Chennai-6.
- 2) The Director,
Employment and Training Department,
Head Office,
Thiru V.Ka. Industrial Estate,
Guindy, Chennai.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 78649

NBI
TE/MR-KKR/SAR-I : 21/09/2017 : 3P/4C

WP (MD) No. 16159 of 2014 and
MP (MD) No. 1 of 2014
12.09.2017