

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2018

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.No.21251 of 2018
and W.M.P.No.24918 of 2018

K.Kanmani

... Petitioner

Versus

1.The Secretary to Government,
Education Department, Fort St. George,
Chennai-600 002.

2.The Chairman,
Teacher's Recruitment Board,
E.V.K. Building, College Road,
Chennai-600 006.

3.The Member Secretary,
Teacher's Recruitment Board,
E.V.K. Building, College Road,
Chennai-600 006.

4.The Director of School Education,
School Education Department,
College Road, D.P.I., Chennai.

5.The Join Director,
Higher Secondary Education Department,
College Road,D.P.I., Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of Writ of Mandamus directing the second respondent to appoint the petitioner as B.T. Assistant by the Teacher's Recruitment Board under the MBC category.

For Petitioner : Mr.M.K.Poongundran
For Respondents : Mr.A.Raja Perumal
Additional Government Pleader

O R D E R

This Writ Petitioner has been filed for issuance of a Writ of Mandamus, directing the second respondent to appoint the petitioner as B.T. Assistant by the Teachers Recruitment Board under the MBC category.

2. It is the case of the petitioner that on 11.07.2017, the Teachers Recruitment Board called for recruitment for the post of B.T. Assistant on the basis of Employment Seniority and Roster System. The petitioner states that she attended the Certificate Verification. The petitioner states that she obtained 91 marks out of 150 marks in the Tamil Nadu Teachers Eligibility Test, 2017 Paper-II and got 88 marks out of 150 marks in Tamil Nadu Teachers Eligibility Test Paper-I. Though, the petitioner was attended the Certificate Verification, it is the grievance of the petitioner that no appointment order has been given to her, even after the Certificate Verification on 25.07.2017. The petitioner has not challenged the selection of any other candidate on any ground. The petitioner, however, seeks a positive direction to appoint her as B.T. Assistant.

3. The petitioner cannot, as a matter of right, seek appointment based on her participation in the selection process. Except the statement that the petitioner has participated in the certificate verification, she has not produced any record to show that persons without merits have been recruited or appointed by the respondents, bypassing the seniority and merits of the petitioner. The petitioner cannot file a Writ of Mandamus directing the respondents to give her appointment to the post of B.T. Assistant merely because she is eligible and participated in the selection process. In case, any decision is taken by recruiting persons other than the petitioner, It is open to the petitioner to seek appropriate relief, if she is really aggrieved, on the basis of her own merits.

4. In the result, the Writ petition is dismissed. No Costs. Consequently connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

mpa/tsi

To

1.The Secretary to Government,
Education Department, Fort St. George,
Chennai-600 002.

2.The Chairman,
Teacher's Recruitment Board,
E.V.K. Building, College Road,
Chennai-600 006.

3.The Member Secretary,
Teacher's Recruitment Board,
E.V.K. Building, College Road,
Chennai-600 006.

4.The Director of School of Education,
School Education Department,
College Road, D.P.I., Chennai.

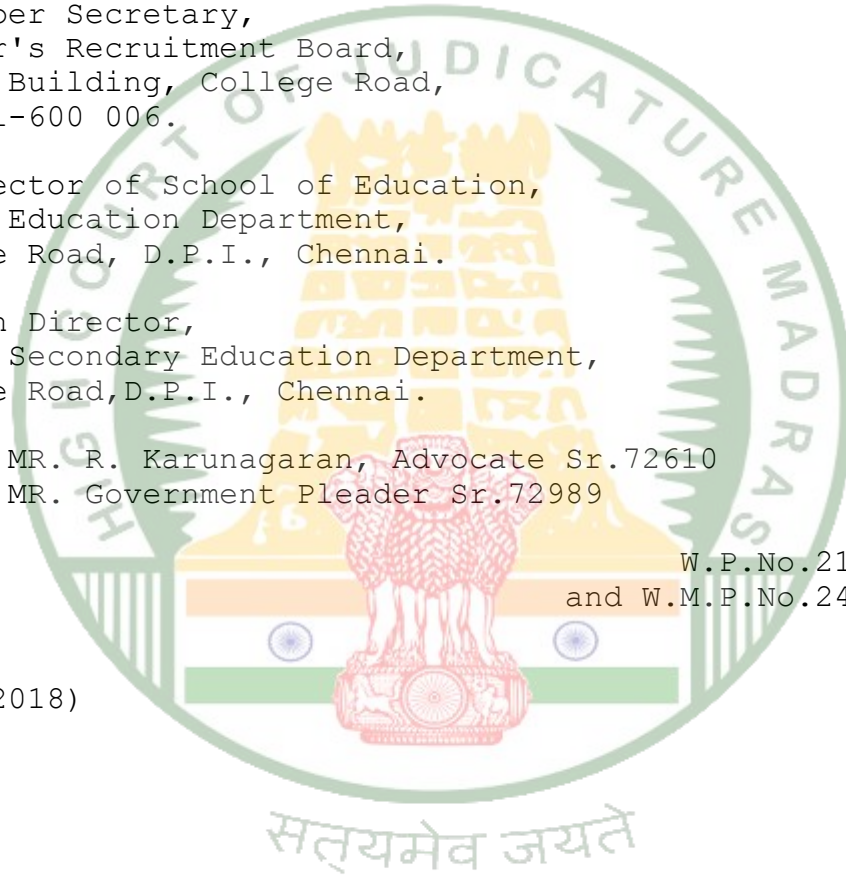
5.The Join Director,
Higher Secondary Education Department,
College Road,D.P.I., Chennai.

+ 1 cc to MR. R. Karunagaran, Advocate Sr.72610

+ 1 cc to MR. Government Pleader Sr.72989

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(CS-DR)
EU (02/11/2018)



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