

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2018

CORAM:

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P.Nos.21965 & 21966 of 2018
& WMP.Nos. 25761 to 25765 of 2018

P.Sivagamasundari .. Petitioner in W.P.No.21965 of 2018
M.Vijayabalan .. Petitioner in W.P.No.21965 of 2018

Vs

1. The Government of Tamil Nadu,
rep. by its Secretary,
School Education Department,
Secretariat,
Chennai-600 009.
2. The Teachers Recruitment Board,
rep. by its Member Secretary,
EVK Sampath Malagai,
College Road, Chennai-600 006.
3. The Director,
Directorate of School Education,
Chennai-600 008. ... Respondents in both Wps.

Prayer:- Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the proceedings of the second respondent in Notification No.5/2017 dated 26.07.2017 in so far as Clause 4(b), Drawing Teacher 2(iv) (b) of the Notification, including only Madras University and Bharathidasan University, for selection to the post of Drawing Teacher, as illegal and quash the same and consequently direct the second respondent herein to consider the petitioner as an eligible candidate for the post of Drawing Teacher based on the Notification No.5 of 2017 and Tamilnadu Collegiate Educational Subordinate Service(prayer in both wps).

For Petitioners : Mrs.Dakshayani Reddy for
Mr.Stalin Abhimanyu

For Respondents :Mrs.P.Kavitha, GA for R1 & 3
Mr.C.Munusamy, for R2

ORDER

In both the writ petitions, the petitioners, who have already appeared in the recruitment of Drawing Teachers /Special Teachers made by the second respondent, pursuant to the Notification No.5 of 2017, for certain qualifications prescribed in notification after being unsuccessful in the examination, since the petitioners have already participated in the recruitment without challenging the conditions prescribed in the notification, after being unsuccessful, they are precluded from challenging the conditions in the notification or the norms prescribed, in view of the settled position of law in this regard.

2. Therefore, I am not inclined to issued notice in these writ petitions. Accordingly, the writ petitions stand dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar (CS VII)

True Copy

Sub-Assistant Registrar

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1. The Secretary,
School Education Department,
Secretariat,
Chennai-600 009.

2. The Director,
Directorate of School Education,
Chennai-600 008.

+2 Ccs to Mr. Stalin Abhimanyu, Advocate sr 60383, 60384.
+1 CC to Govt. Pleader sr 60887.

W.P.No.21965 & 21966 of 2018

AD(CO)
SP(17/09/2018)