

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2018

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.8066 of 2013
and M.P.No.1 of 2013

K.Sindhu

...Petitioner

Vs.

The Chairman,
Teachers Recruitment Board,
College Road, Chennai - 600 006.

... Respondent

PRAYER: Writ Petition has been filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, to direct the respondent to appoint the petitioner as School Assistant (B.T.Assistant) based on her passing the Tamil Nadu Teacher Eligibility Test and grand her are consequential benefits.

For Petitioner : Mr.P.Manoj Kumar

For Respondent : Mr.P.Raja
Government Advocate

O R D E R

The relief sought for in this Writ Petition is for a direction to direction the respondent to appoint the petitioner as School Assistant (B.T.Assistant) based on her passing the Tamil Nadu Teacher Eligibility Test.

2. The learned counsel appearing for the Writ Petitioner states that she passed S.S.L.C. examination in Malayalam medium in March, 1990, and High Secondary Course Examination in 1992 (English medium). The petitioner studied B.Sc., in 1995 (English medium), and B.Ed., in 1996. She registered her name in the Employment Exchange, Uthagamandalam in 1997.

3. The Writ Petitioner has also appeared for Tamil Nadu Eligibility Test(TNTET)-Supplementary Examination-2012 conducted by the Teachers Recruitment Board, Chennai, on 14.10.2012 and as

per the result, the petitioner was declared as qualified in the examination. Accordingly, she had received call letter for certificate verification. The petitioner appeared and her certificates have been verified by the authorities concerned. However, she had not received any order of appointment. Hence, the petitioner has constrained to move the present Writ Petition for the relief seeking direction to appoint her as School Assistant.

4. The learned counsel appearing for the petitioner states that some other candidates, who secured lesser marks, have already been appointed. Therefore, the Writ Petitioner is entitled for appointment. However, those orders of appointment are not challenged in this Writ Petition. Further, those candidates, who secured lesser marks got appointment, are not impleaded as party to the respondent in the Writ Petition. In the absence of substantiating any such claim, this Court is not inclined to interfere with the matter for the purpose of the relief sought for in this Writ Petition. Appointment can never be claimed as a matter of right. Mere participation, process of certificate verification will not confer any claim of appointment. All appointments to public employment have to be done only under the Constitutional schemes by following the recruitment rules in force. The competent authority in this regard are bound to follow the rules and regulations scrupulously and by following rules of reservation. This being the principles to be followed mere participation in certificate verification will not confer in the writ petitioner to claim appointment.

5. It is brought to the notice of this Court by the learned Government Advocate that now all the appointment to teaching posts are done only through the Teacher Recruitment Board. Therefore, at this length of time, the claim of the writ petitioner cannot be considered.

6. Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

The Chairman,
Teachers Recruitment Board,
College Road, Chennai - 600 006.

+1cc to Mr.P.Rajendran, Advocate, S.R.No.62492
+1cc to the Government Pleader, S.R.No.62122

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RSV(CO)

rrs 08/10/2018



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