



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 04.09.2018

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.17666 of 2018

and

W.M.P. (MD) Nos.15547 and 15548 of 2018

S.Santhi

... Petitioner

Vs.

1.The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Campus, College Road,
Chennai-600 006.

2.Director of Employmen and Training,
Guindy, Chennai-600 032.

3.The Chief Educational Officer,
Pudukkottai and District.

4.The District Employment Officer,
Pudukkottai and District.

... Respondents

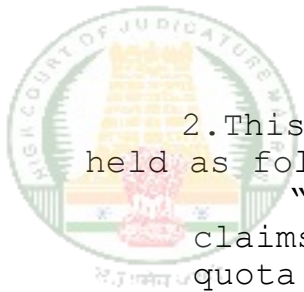
PRAYER: Writ Petition filed under Article 226 of the constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the notification issued by the 1st respondent in his proceedings No.5 of 2017 dated 26.07.2017 and the provisional certificate verification list published by the 1st respondent on 27.07.2018 and issue fresh notification for appointment to Special Teachers after following the Guidelines for priority as per G.O.Ms.No.188 dated 24.12.1976.

For Petitioner : Mr.C.Nagamuthu

For Respondents : Mr.V.R.Shanmuganathan
Special Government Pleader

ORDER

The petitioner has questioned both the notification dated 26.07.2017 and the provisional certificate verification list published by the first respondent on 27.07.2018 on the ground that the notification does not provide any reservation for candidates, who have contacted inter-caste marriage.



2.This Court in a similar case by judgment dated 04.01.2013 has held as follows:-

"49. In W.P.(MD)No.23073 of 2012, the petitioner claims that he is entitled for being considered under the quota reserved for freedom fighters and similarly, the petitioner in W.P.No.23074 of 2012 contends that he should have been considered as against the vacancies reserved for inter-caste marriage category. These two contentions cannot be accepted, for the simple reason that the notification issued by the respondent commission does not provide any reservation for these two categories. The petitioners have not challenged the notification and instead, they have participated in the selection process. When they do not find a place in the list of candidates short listed for oral test, they have rushed to this Court with these pleas. Without challenging the notification, that too, after having participated in the selection process, it is too late for them to make the above pleas. Hence, these please are liable to be rejected."

3.It is seen that the petitioner, having participated in the selection process and without challenging the notification at the threshold, cannot now come with a plea that there is no reservation provided for the inter-caste married couple.

4.In view of the above, the petitioner, as a matter of right cannot contend that there should be an inter-caste marriage reservation and the case of the petitioner should be considered. When there is no reservation in the notification issued by the first respondent and the petitioner, having participated in the selection process without challenging the notification, she is not entitled to the relief as sought for in the present writ petition. Hence, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CO)

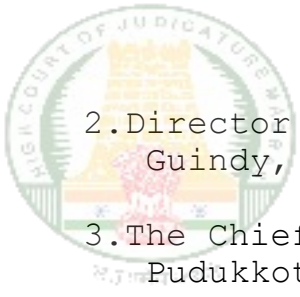
/True Copy/

Sub Assistant Registrar(CS-IV)

To

1.The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Campus,
College Road,

<https://hcservices.ecourts.gov.in/hcservices/>
Chennai-600 006.



2. Director of Employment and Training,
Guindy, Chennai-600 032.

3. The Chief Educational Officer,
Pudukkottai and District.

4. The District Employment Officer,
Pudukkottai and District.

+1CC to Mr.V.SELVA, Advocate, SR.No.82726

W.P. (MD) No.17666 of 2018
04.09.2018

TA
ES/SKN/RSK/SAR 4/17.10.2018/3P/6C