



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2018

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THE HONOURABLE MR.JUSTICE **S.M.SUBRAMANIAM**

W.P. (MD) No.13766 of 2011

and

M.P. (MD) 1 and 2 of 2011

G.Margaret Glorintal

...Petitioner

Vs.

1. The District Employment Officer,
Thoothukudi District,
District Employment Office,
Thoothukudi.
2. The Member Secretary,
Teachers Recruitment Board,
College Road,
Chennai - 600 006.
3. The Director of Elementary Education,
College Road,
Chennai - 600 006.
4. The District Elementary Educational Officer,
Thoothukudi District,
Thoothukudi.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to sponsor the Petitioner's name for the post of Secondary Grade Teacher (Elementary / Middle School) for the year 2010-2011 to the 2nd and 4th respondents who in turn shall consider her case for appointment to the said post and consequently direct the 3rd respondent to issue appointment order in view of the selection to be done by the 2nd respondent within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.R.Sethuraman
Special Government Pleader.

**ORDER**

The relief sought for in this writ petition is to direct the 1st respondent to sponsor the Petitioner's name for the post of Secondary Grade Teacher (Elementary / Middle School) for the year 2010-2011 to the 2nd and 4th respondents.

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2.The learned counsel appearing on behalf of the writ petitioner states that the name of the writ petitioner was not sponsored for appointment to the post of Secondary Grade Teacher (Elementary / Middle School), by omission on the side of the District Employment Exchange, Thoothukudi. In other words, the learned counsel for the writ petitioner states that there is a failure on the part of the District Employment Office, Thoothukudi, to sponsor the name of the writ petitioner in accordance with her employment seniority. Even, they have violated the rule of seniority at the time of sponsoring the name of the candidates.

3.The learned Special Government Pleader appearing on behalf of the respondents states that now the process of appointment has to be undertaken only through the Teacher Recruitment Board and by following the recruitment rules. Thus, the case of the writ petitioner cannot be considered. However, the writ petitioner is now aged about 43 years and therefore, there is no scope for consideration of the case of the writ petitioner for appointment to the post of Secondary Grade Teacher (Elementary / Middle School). May that it be, if the statements made by the writ petitioner is correct in respect of omission on the part of the first respondent in sponsoring the name of the writ petitioner, then, it is left open to the writ petitioner to workout her remedies in the manner known to law. However, the appointment to the post of Secondary Grade Teacher (Elementary / Middle School) cannot be provided in this writ petition.

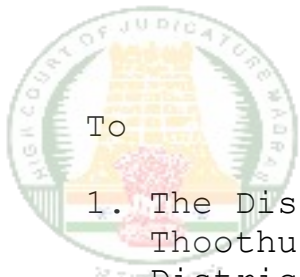
4.In view of the fact that the procedures in relation to the recruitment itself underwent changes and now that the Teacher Recruitment Board has to undertake the process of selection in accordance with the rules in force. This being the factum of the case, no further adjudication needs to be undertaken in respect of the grounds raised in this writ petition.

5.Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(W)

/True Copy/



To

1. The District Employment Officer,
Thoothukudi District,
District Employment Office, Thoothukudi.

2. The Member Secretary,
Teachers Recruitment Board,
College Road,
Chennai - 600 006.

3. The Director of Elementary Education,
College Road,
Chennai - 600 006.

4. The District Elementary Educational Officer,
Thoothukudi District,
Thoothukudi.

+ 1 cc TO The Special Government Pleader in SR No. 45511

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AE/SKN RSK/SAR2/14.02.2018/3P/6C

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