

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.07.2019

CORAM

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MS.JUSTICE P.T.ASHA

Writ Appeal No.1772 of 2019
and CMP No.12019 of 2019

S.Vidhya Priyadharshini

....Appellant/Petitioner

-Vs-

1. The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maligai,
Village Road, Chennai - 600 006.

2. The Director,
Teachers Recruitment Board,
DPI Complex, Chennai - 600 006.

..Respondents/Respondent

APPEAL filed under Clause 15 of the Letters Patent to set aside the order dated 26.02.2019 made in W.P.No.5161 of 2019.

W.P.No.5161 of 2019:- Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent to permit the petitioner to submit her educational certificate for the verification for the post sewing teacher (Special Teacher) and consider the petitioner's appointment for the post of sewing teacher.

For Appellant : Mr.S.Sundaresan

For Respondents: Mr.C.Munusamy, Spl.G.P.

J U D G M E N T

(Judgment of the Court was delivered by K.K.SASIDHARAN, J.,)

The appellant has submitted an application for appointment to the post of Sewing Teacher (Special Teacher) under the Backward Class category. The schedule of examination including viva voce indicated that she has to appear for examination on

23.09.2017. Thereafter, she has to appear taking into account the marks obtained in the written examination on 13.08.2018. These dates were indicated even in the notification issued by the Teachers Recruitment Board.

2. The appellant failed to appear before the authorities on 13.08.2018 for certificate verification. She was therefore not selected. Thereafter, the appellant submitted a representation explaining her difficulty to appear for certificate verification on 13.08.2018. The explanation was not accepted by the Teachers Recruitment Board. The appellant therefore filed a Writ Petition for issuance of a Writ of Mandamus to direct the respondent to permit her to produce the educational certificates for verification and to give her appointment. The Writ Petition was dismissed by the learned single Judge. The said order is under challenge in this intra Court appeal.

3. The learned counsel for the appellant contended that the appellant was laid up and she has been taking treatment from 09.08.2018. In view of the events beyond her control, she could not appear for examination on 13.08.2018.

4. The appellant has come up with an explanation that she was taking treatment from 09.08.2018 onwards. Nothing prevented her from sending a communication to the Teachers Recruitment Board that it would not be possible for her to appear before them on 13.08.2018. The first communication sent by the appellant was only on 22.10.2018. The appellant appears to have invented a reason to justify her absence on 13.08.2018. In case, the appellant was not in a position to appear, she could have sent a representative intimating the Board that it would not be possible for her to appear on account of her illness.

5. We are of the view that it would not be possible to entertain the request made by the appellant at a later point of time. The learned single Judge has rightly dismissed the Writ Petition filed by the appellant.

6. The intra Court appeal is dismissed. No costs. Consequently, the connected Miscellaneous Petition is also dismissed.

sl

Sd/-

Assistant Registrar

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Sub Assistant Registrar

To

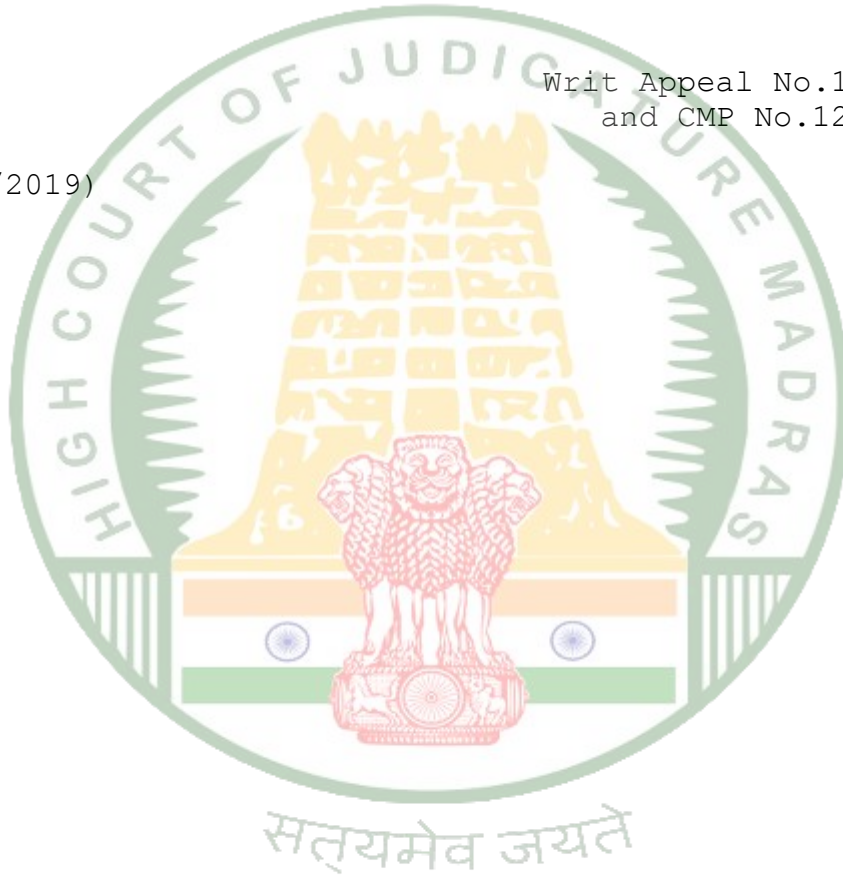
1.The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maligai,
College Road, Chennai - 600 006.

2.The Director,
Teachers Recruitment Board,
DPI Complex, Chennai - 600 006.

+lcc to the Govt.Pleader, Vide Sr.No.59206/19

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Kak(14/09/2019)



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