



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WP.Nos.9183 to 9188 of 2015

MP.Nos.2 to 2 of 2015

|                 |                         |
|-----------------|-------------------------|
| 1.K.P.Sivakumar | Petitioner-WP.9183/2015 |
| 2.S.Suresh      | Petitioner-WP.9184/2015 |
| 3.D.Logammal    | Petitioner-WP.9185/2015 |
| 4.P.Paulraj     | Petitioner-WP.9186/2015 |
| 5.K.Devan       | Petitioner-WP.9187/2015 |
| 6.S.Muthuselvan | Petitioner-WP.9188/2015 |

Vs

- 1.The Principal Secretary to Government  
School Education Department, Secretariat  
Chennai-9
  - 2.The Member Secretary, Teachers Recruitment Board  
DPI Compound, Chennai-6
  - 3.The Director, Directorate of School Education  
DPI Campus, Chennai-6
  - 4.The Principal Secretary to Government  
Social Welfare and Nutritious Meal Programme Department  
Secretariat, Chennai-9
  - 5.The Secretary, Director of Employment and Training  
Guindy, Chennai-32
- Respondents in all WPs

Prayer:- These Writ Petitions have been filed, under the Article 226 of Constitution of India, to issue a Writ of Declaration, declaring that the Advertisement No.07/2014 issued by the 2nd Respondent, dated 13.10.2014 is contrary and violative of the GO.Ms.No.151, dated 16.10.2008, issued by the 4th Respondent.

For Petitioners : Ms.K.Sindhuja

For Respondents : Mrs.P.Kavitha, Government Advocate

ORDER

- 1.The prayer in all these Writ Petitions is to issue a Writ of Declaration, declaring that the Advertisement No.07/2014 issued by the 2nd Respondent, dated 13.10.2014 is contrary and violative of the GO.Ms.No.151, dated 16.10.2008, issued by the 4th Respondent.



2.This court heard the learned counsel on either side and considered their submissions and also perused the materials placed on record.

3.The claim of the Petitioners in all these Writ Petitions is that in the light of GO.Ms.No.151, dated 16.10.2008, relaxation has to be given in their favour, who are physically disabled persons, for the purpose of accommodating them as Computer Instructors, as they possessed required and necessary qualification. In this regard, they had made representations to the Respondents.

4.In these Writ Petitions, this Court had passed an order, dated 02.03.2017, directing as under:-

"2. In the light of the plea made by the learned counsel for the Petitioners that the persons with physical disability or otherwise who possess all the required qualifications should be accommodated as Computer Instructors, by relaxing necessary norms, the Petitioners are at liberty to submit joint representations to the 1st Respondent within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the 1st Respondent is directed to consider the said representation, on merits and in accordance with law, in the light of GO.Ms.No.187, School Education Department, dated 4.10.2006 and pass appropriate orders, within a period of eight weeks thereafter and communicate the decision taken to the Petitioners and subject to the result of the disposal to be given by the 1st Respondent, the Petitioners are at liberty to work out their further remedy."

5.Pursuant to the above said order of this Court, dated 02.03.2017, the 1st Respondent had considered the representations of the Petitioners and by proceedings dated 20.06.2017 in Letter No.7599/Pa.Ka.2(2)/2017-4, had rejected the claim of the Petitioners, which is the main prayer in these Writ Petitions. Hence, there is nothing to be adjudicated further in these Writ Petitions.

6.In view of the above, these Writ Petitions are dismissed. However, liberty is given to the Petitioners to challenge the said proceedings, dated 20.06.2017, if they are so advised. No costs. Consequently, the connected MP are closed.

16.12.2019

Index:Yes/No

Web:Yes/No

Speaking/Non Speaking

Srcm

To

1.The Principal Secretary to Government, School Education Department, Secretariat, Chennai-9



2.The Member Secretary, Teachers Recruitment Board, DPI Compound, Chennai-6

3.The Director, Directorate of School Education, DPI Campus, Chennai-6

4.The Principal Secretary to Government, Social Welfare and Nutritious Meal Programme Department, Secretariat, Chennai-9

5.The Secretary, Director of Employment and Training, Guindy, Chennai-32

+1 cc to Government Pleader Sr.No. 105318

+1cc to Mr.R.Prabhakaran , Advocate SR.No. 105244

WP.Nos.9183 to 9188 of 2015

A.SK(23/01/2020)