

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.08.2019

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THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.A.Nos.1886 & 1888 of 2019

G.Babu ... Appellant in W.A.No.1886/2019
P.Elumalai ... Appellant in W.A.No.1888/2019

Vs.

- 1.The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Campus, College Road,
Chennai - 600 006.
- 2.The Member Secretary,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Campus, College Road,
Chennai - 600 006. ... Respondents in both the W.Ps.

Writ Appeals filed under Clause 15 of the Letters Patent against the order passed by the learned single Judge of this Court in W.P.Nos.34617 and 34613 of 2018 respectively dated 28.03.2019.

Common Prayer in WP.No.34617/2018 & 34613/2018:

This Writ Petition files Under Article 226 of the issuance of the writ of Mandamus, directing the second respondent to pass appropriate orders on the petitioner representation dated.21.9.2017 and to direct the respondents to include the petitioner name and roll number in the selection list for the post of B.T.Assistant Teacher in the subject of Tamil/History, respectively for Direct Recruitment of B.T.Assistants and B. T.Assistants (IEDSS) 2015-2016 and to award one mark as per order made in W.A.No.1040 of 2017 dated 12.10.2017

For Appellants : Mr.A.Prakash

For Respondents : Mr.C.Munusamy,
Special Government Pleader

C O M M O N J U D G M E N T

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

The appellant in the respective appeals submitted application for appointment to the post of B.T. Assistant by way of direct recruitment. The appellants were not selected. The appellants made a grievance before the writ court that they should have been awarded one mark for the question relating to Vande Matharam. The writ petitions filed for issuance of a Writ of Mandamus were dismissed by the learned single Judge on the ground that the appellants failed to demonstrate that they got legal right to direct the respondents to consider the representations. Feeling aggrieved, the appellants have come up with these intra court appeals.

2. The prayer in the writ petitions were primarily to direct the Teachers Recruitment Board to consider the representations and to award marks, taking into account, the relevant answers and more particularly, the question relating to Vande Matharam. The representations were not disposed of by the Teachers Recruitment Board. The appellants therefore filed the writ petitions.

3. After hearing the learned counsel for the appellants and the learned Special Government Pleader on behalf of the respondents, we are of the view that interest of justice would be subserved by directing the Teachers Recruitment Board to consider and dispose of the representations submitted by the appellants dated 21.09.2017 on merits and as per law.

4. We direct the Teachers Recruitment Board to consider the representations submitted by the petitioners dated 21.09.2017 on merits and as per law. Such exercise shall be completed within a period of four weeks from the date of receipt of a copy of this judgment.

5. The intra court appeals are allowed in part as indicated above. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

vsi

To

1.The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Campus, College Road,
Chennai - 600 005.

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

+1cc to Mr.S.Kumara Devan Advocate, S.R.No.65751

+1cc to the Government Pleader, S.R.No.66349

RSK(CO)
CB(09/09/2019)

W.A.Nos.1886 & 1888 of 2019

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