IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28-03-2019

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.27375 of 2018

P.Karthikeyan ..Petitioner

Vs.

1.The Secretary to Government,
Personal and Administrative Reforms
(Personal-P) Department,
Secretariat,
Fort St. George,
Chennai-600 009.

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

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

4.The Member Secretary,
Teachers Recruitment Board,
4th Floor, EVK Sampath Building,
College Road,
Chennai-600 006.

5.The Revenue Divisional Officer,
Ranipet,
Vellore District.

6.The District Employment Officer,
Vellore District,
Vellore. ..Respondents

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PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned order dated 21.12.2017 in O.Mu.No.11633/A9/2017 passed

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by the fourth respondent to consider petitioner's appointment for the post of Special Teacher (Physical Education) under the Land Acquisition Priority Category.

For Petitioner : Mr.E.Sathish Kumar

For Respondents-1&5 : Mr.R.S.Selvam, Government Advocate.

For Respondents No.2,3 & 6 : Mrs.P.Kavitha, Government Advocate.

For Respondsent-4 : Mr.C.Munusamy, Special Government Pleader.

O R D E R

The order of rejection issued by the fourth respondent in proceedings dated 21.12.2017 stating that no quota is provided for the Land Acquisition Priority Category for appointment to the post of Special Teacher, is under challenge in the present writ petition.

2. The learned counsel appearing on behalf of the writ petitioner states that the writ petitioner is fully qualified for appointment to the post of Special Teacher (Physical Education) under the Land Acquisition Priority Category. The writ petitioner participated in the process of Certificate Verification during the year 2012 and he was not selected. Therefore, he must be now considered under the Land Acquisition Priority Category for appointment to the post of Special Teacher (Physical Education).

3. Now the teachers are appointed through Open Competitive Process conducted by the Teachers Recruitment Board. Recruitment Notifications are issued and the process of selections are conducted as per the Rules in force. No quota is provided for Land Acquisition Priority Category.

4. Thus, the writ petitioner has to participate in the process of selection as per the terms and conditions of the Recruitment Rules in force. When the Government has taken the policy decision not to provide Land Acquisition Priority Category in respect of the recruitment to the post of Special Teacher (Physical Education) through Teachers Recruitment Board, this Court cannot issue any directions to appoint the writ petitioner under the Category of Land Acquisition Priority. Thus, the writ petitioner has not established any acceptable legal ground for the purpose of considering the relief, as such, sought for in the present writ petition and the writ petition is devoid of merits.

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5. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs.

Svn

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government,
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Chennai-600 009.

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Vellore District.

6.The District Employment Officer,
Vellore District,
Vellore.

+1cc to Mr.E.Sathish Kumar, Advocate, SR.No.30941/19
+1cc to the Govt.Pleader, Vide Sr.No.31110 & 31075/19

W.P.No.27375 of 2018

Kak(15/05/2019)

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