



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.07.2019

CORAM

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.14520 of 2014

and

M.P. (MD) No.3 of 2015

P.Perlin Jones

... Petitioner

-vs-

1. The State of Tamilnadu,
Rep.by The Chief Secretary,
Government of Tamil Nadu,
St George Fort, Chennai - 600 009.

2. The Secretary to Government,
School Education (TRB) Department,
St George Fort, Chennai - 600 009.

3. The Secretary,
Tamil Nadu Teacher Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Compound,
College Road, Chennai 600 006.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to appoint petitioner as per mark scored in TNTET-2013 under EX Servicemen dependent priority quota.

For Petitioner	: Mr.L.Rajiah
For R1	: M/s.S.Srimathy Special Government Pleader
For R2 & R3	: Mr.VR.Shanmuganathan Special Government Pleader

O R D E R

The relief sought for in the present writ petition is for a direction to the respondents to appoint the petitioner as per mark scored in TNTET-2013 under Ex-Servicemen dependent priority quota.



2.The main contention of the writ petitioner is that Ex-Servicemen quota has not been provided under the priority category.

3.This Court is of the considered opinion that providing of quota cannot be claimed as a matter of right. Providing of Ex-Servicemen quota does not fall under the rule of reservation. Such priority categories are decided by the Government, based on certain criterias and considering the job profile and other aspects of the matter. However, the priority category or quota can never be claimed as a matter of right by the candidates, who are all aspiring to seek an employment for the post of B.T. Assistants or otherwise.

4.This being the principles to be followed, the writ petitioner cannot seek any quota by filing a Writ Petition and providing of such category is a policy decision to be taken by the Government, considering the job profile, nature of duties and responsibilities and other aspects of the matter.

5.However, it is brought to the notice of this Court that the recruitment had already been completed and the selected persons were already appointed as B.T. Assistants. Under these circumstances, this Court is not inclined to consider the relief as such sought for in the present Writ Petition.

6.Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Chief Secretary,
Government of Tamil Nadu,
St George Fort,
Chennai - 600 009.

2. The Secretary to Government,
School Education (TRB) Department,
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3. The Secretary,
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+1 CC to Special Government Pleader (SR-73975[F] dated 08/07/2019
)

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AE/ (23.07.2019) 3P 5C