



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.9677 of 2015

and

M.P. (MD) Nos.1 & 2 of 2015

K.Soundararajan

... Petitioner

vs.

1.The State of Tamil Nadu
rep.by its Principal Secretary
Higher Education Department
Fort St.George, Chennai-09

2.The Chairman
Teachers Recruitment Board
4th Floor, EVK Sampath Maligai
DPI Complex, College Road
Chennai-06

3.The Director
Directorate of Teacher Education
Research and Training
Chennai-06

4.S.Selvi

5.N.Sadatcharavel
(R4 & R5 to be served through R2)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of declaration declaring the provisional list of candidates after Certificate Verification for recruitment of Senior Lecturers in DTERT/DIET-2010-2011 for the subject of Tamil (SUB CODE:11SD01) published in the website by the respondent No.2 as illegal and consequently to direct the respondent No.2 to consider the petitioner for appointment to the post of Senior Lecturer in Tamil under MBC/DNC category within a time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents: Mrs.S.Srimathi

Special Government Pleader for R1 to R3

No appearance for R4 & R5

**ORDER**

The relief sought for in the present writ petition is to declare the provisional list of candidates, for the year 2010 - 2011, for appointment to the post of Senior Lecturer for the subject of Tamil, as null and void.

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2. The learned counsel for the writ petitioner states that the rule of reservation was flouted in the process of recruitment to the post of Senior Lecturer for the subject of Tamil and on account of the non-implementation of the rule of reservation in its letter and spirit, the opportunity of the writ petitioner is taken away.

3. The facts remain that the writ of declaration was filed in the year 2015 to declare the provisional list of candidates published in the website as null and void; the writ petitioner has not impleaded the selected candidates as party respondents in the writ petition and the writ petition is liable to be dismissed on the ground of non-impleading the necessary parties.

4. This apart, the selected candidates would have been appointed to the post of Senior Lecturer by this time and the entire process of selection would have been completed. This apart, in the event of seeking the relief of quashing the process of selection in its entirety, the necessary parties are to be impleaded as party respondents and now, after appointment of the selected candidates in the post concerned, those appointments are also to be challenged. The writ petitioner has not taken any effort to implead all the necessary parties. Contrarily, two candidates alone were impleaded as party respondents in the writ petition and now, on account of efflux of time and in view of the fact that the selection process was already concluded and the selected candidates were appointed, if at all any grievance exists to the writ petitioner, it is left open to him to adjudicate the same in the manner known to law.

5. Accordingly, writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (RECORD)

// True Copy //

Sub Assistant Registrar(CS)



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To:

1.The Principal Secretary,
Higher Education Department,
Fort St.George, Chennai-09.

2.The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Complex, College Road,
Chennai-06.

3.The Director,
Directorate of Teacher Education,
Research and Training,
Chennai-06.

+1CC TO M/S.SPECIAL GOVERNMENT PLEADER SR,NO.69284

+1CC TO M/S.T.LAJAPATHI ROY, ADVOCATE, SR.NO.68992

W.P. (MD) No.9677 of 2015
and
M.P. (MD) Nos.1 & 2 of 2015

14.06.2019

BUC (08.07.2019) 3P 6C