



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.07.2019

CORAM

WEB COPY

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

W.P (MD) .No.14944 of 2014

S.Vani

...Petitioner

Vs.

1.The State of Tamil Nadu
Rep.by its Secretary,
School Education Department,
Fort St.George, Secretariat,
Chennai.

2.The Chairman,
Teachers Recruitment Board,
EVK Sampath Maaligai, DPI Campus,
College Road, Chennai - 600 006.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue a writ of certiorarified mandamus, to call for the records relating to the impugned notification / Advertisement issued by the 2nd Respondent in Advertisement No. 05/2014 dated 06.08.2014, and quash the same and consequently direct the respondents to consider the petitioner for the appointment as Secondary Grade Teacher under the Ex- Serviceman priority category as per Rule 22 (ab) of the TamilNadu State and Subordinate Service Rules and G.O.Ms. No. 1161 (personnel and Administrative Reforms Personnel - R) Department) dated 22.11.1984.

For petitioner : Mr.L.Shaji Chellan

For R1 : Mrs.S.Srimathy,
Special Government Pleader

For R2 : Mr.V.R.Shanmuganathan,
Special Government Pleader

ORDER

<https://hcservices.ecourts.gov.in/hcservices/>
the recruitment notification No.05/2014 dated 06.08.2014 issued by the second respondent is sought to be quashed.



2.The recruitment notification was issued for appointment to the post of Secondary Grade teacher and the impugned notification dated 06.08.2014 provides quota for ex-service men and there is no separate quota for the dependant of ex-service men. Once quota is provided for the ex-service men alone, the dependant of the ex-service man cannot claim any priority for appointment to the post of Secondary Grade Teacher.

3.The quota or priority for ex-service men, sports persons, destitute widow etc., are provided by the Government considering the job profile and other aspects of the matter. The court cannot interfere with a policy regarding the prescription for quota for appointment to the particular post or cadre. As far as the present impugned notification is concerned, the priority quota was granted to the ex-service men and therefore, the writ petitioner, who is the dependant of the ex-service men cannot claim any quota for the appointment of Secondary Grade Teacher.

4.Admittedly, the petitioner is the dependant of the ex-service men as per notification. She is not entitled to avail the quota. The notification cannot be quashed in view of the fact that prescription is the policy decision of the Government and the same cannot be claimed as a matter of right. Accordingly, the writ petition devoid of merits and the same stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

sjj

To

1.The Secretary,State of Tamil Nadu School Education Department,
Fort St.George, Secretariat, Chennai.

2.The Chairman,Teachers Recruitment Board, EVK Sampath Maaligai,
DPI Campus,College Road, Chennai - 600 006.

+1cc to Mr.L.Shaji Chellan,Advocate, SR.No.75075

+1cc to Spl.Govt.Pleader, Madurai Bench of Madras High Court,
Madurai SR.No.75210

W.P(MD).No.14944 of 2014

12.07.2019