



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 23.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.15174 of 2014

and

M.P. (MD) No.1 of 2014

S.Nagaraj

... Petitioner

-Vs-

1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Department of School Education,
St. George Fort, Chennai-9.

2.The Director,
Department of School Education,
DPI Compound, Chennai-6.

3.The Chairman,
Tamil Nadu Teachers Recruitment Board,
E.V.K.Sampath Maligai,
DPI Compound College Road,
Chennai-6.

4.The District Employment Office,
Madurai District, Madurai.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents herein to appoint the petitioner as Secondary Grade Teacher in pursuant to the call letter issued by the third respondent in his proceedings in memo No.5015/B4/2008, dated 13.10.2009 without reference to the Teacher Eligibility Test (TET) in conformity with the decision rendered by the Division Bench of the Principal Seat of this Court vide its order dated 09.07.2013 in Rev.Application No.139/2012 & W.A.No.2121 of 2012 within the time suitable by this Court.

For Petitioner : Mr.J.Jeyakumaran

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

ORDER

The relief sought for in the present Writ Petition is for a direction to direct the respondents to appoint the writ petitioner in the post of Secondary Grade Teacher, pursuant to the call letter issued by the third respondent in proceeding dated 13.10.2009.



2.The writ petitioner filed this Writ Petition based on the order passed by the Hon'ble Division Bench of the Principal Seat of this Court in W.A.No.2121 of 2012. The writ petitioner participated in the process of certificate verification during the year 2009. Subsequently, in respect of the similar candidates, the Hon'ble Division Bench of the Principal Seat of this Court passed an order in the year 2013 and some of the persons were appointed in the year 2013. However, the writ petitioner has waited till final order is passed in the Writ Appeal and thereafter, he filed this Writ Petition during the year 2014. Thus, there is a delay of 5 years, even in approaching the Court with reference to the date of certificate verification done during the year 2009.

3.A person, who is aggrieved, cannot wait for the orders in the other Writ Petition filed by the similarly placed persons and thereafter, approach the Court of law on verifying the results in the Writ Petition. Such an attitude of the candidates can never be appreciated, nor the relief can be granted after a lapse of so many years.

4.This apart, the learned Special Government Pleader appearing on behalf of the respondents states that the writ petitioner is not possessed the Teachers Eligibility Test and therefore, based on the certificate verification of the year 2009, he cannot be appointed now, after a lapse of 10 years from the date of verification of the certificate. Now, appointments are made through Teachers Eligibility Test by conducting open competitive process.

5.This being the procedures to be followed, the very claim set out in the present Writ Petition deserves no merit consideration. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Records)

/TRUE COPY/

Sub Assistant Registrar

To

1.The Principal Secretary,
State of Tamil Nadu,
Department of School Education,
St. George Fort, Chennai-9.

2.The Director,
Department of School Education,
DPI Compound, Chennai-6.



3.The Chairman,
Tamil Nadu Teachers Recruitment Board,
E.V.K.Sampath Maligai,
DPI Compound College Road,
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4.The District Employment Office,
Madurai District, Madurai.

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