



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2019

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.(MD)No.15264 of 2014

WEB COPY

S.Gowri

... Petitioner

-Vs-

1.The State of Tamil Nadu,
represented by its Secretary,
School Education Department,
Secretariate, Chennai - 600 009.

2.The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai -6.

... Respondents

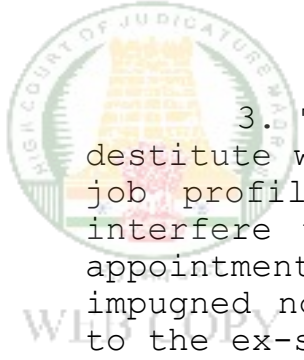
Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned Notification/Advertisement issued by the second respondent in his proceedings in Advertisement No.05/2014, dated 06.08.2014 and quash the same as illegal insofar as it relates to restricting the claim of reservation under Ex-Servicemen only in respect of Ex-Servicemen concerned and consequently, to direct the respondents to provide Ex-Servicemen Reservation to the dependant of Ex-Servicemen.

For Petitioner	: Mr.C.Venkatesh Kumar for M/s.Ajmal Associates
For R1	: Mr.D.Muruganandham Additional Government Pleader
For R2	: Mr.VR.Shanmuganathan Special Government Pleader

ORDER

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 6.8.2014 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 dependants 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 man cannot claim any quota for the appointment as Secondary Grade Teacher.

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

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Secretary,
The State of Tamil Nadu,
School Education Department,
Secretariate, Chennai - 600 009.

2. The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Compound, College Road,
Chennai -6.

+1 CC to SPL GP (SR-81959[F] dated 16/08/2019)
+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-82048[F] dated
16/08/2019)

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14.08.2019

cmr

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