



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P (MD)No.20412 of 2019

WEB COPY

Thangeswaran

... Petitioner

vs.

Teachers Recruitment Board,
Rep. by the Chairman,
4th Floor, EVK Sampath Maligai,
DPI Compound, College Road,
Chennai - 600 006.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to grant 3 marks to the petitioner under the category of the Employment Seniority weightage marks as per notification dated 26.07.2017 for the post of Special Teacher (Physical Education) by considering the petitioner's representation dated 27.03.2019.

For Petitioner : Mr.R.Karunanidhi

For Respondent : Mr.VR.Shanmuganathan,
Special Government Pleader.

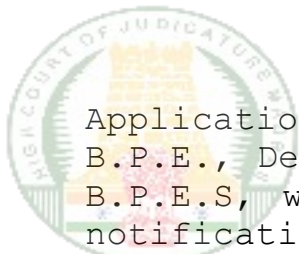
ORDER

This Writ Petition is filed seeking for a Writ of Mandamus, to direct the respondent to grant 3 marks to the petitioner, as per notification, dated 26.07.2017 for the post of Special Teacher (Physical Education), by considering his representation dated 27.03.2019.

2.Mr.VR.Shanmuganathan, learned Special Government Pleader accepts notice on behalf of the respondent.

3.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

4.According to the petitioner, in pursuant to the notification issued by the respondent, dated 26.07.2017, he was provisionally selected for appointment of Physical Education Teacher. The petitioner is entitled to get 3 marks for employment seniority weightage either for B.P.E., or M.P.Ed. The respondent has not awarded three marks to the petitioner. This Court, in the Review



Application filed by one Manikandan and others observed that B.P.E., Degree course is with duration of 3 years is equivalent to B.P.E.S, which is stated to be a prescribed qualification in the notification. The learned counsel appearing for the petitioner submitted that as per the order of this Court, 3 years B.P.E., Degree course is equal to B.P.E.S. As per the order of this Court, if the respondent revises the selection list, he may lose his selection. Hence, he made a representation to the respondent, dated 27.03.2019, for awarding 3 marks. Since no order has been passed on the said representation, the petitioner has come up with the present Writ Petition.

5. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

6. Considering the averments made in the affidavit filed in support of the Writ Petition, the petitioner is not entitled to positive direction. It is suffice to direct the respondent to consider the representation of the petitioner, dated 27.03.2019 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

Sub Assistant Registrar (CS)

ps
To

Teachers Recruitment Board,
Rep. by the Chairman,
4th Floor, EVK Sampath Maligai,
DPI Compound, College Road,
Chennai - 600 006.

+1 CC to M/s.R.KARUNANIDHI, Advocate (SR-88592[F] dated 23/09/2019)

W.P (MD) No. 20412 of 2019
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