



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2019

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAMW.P(MD)No. 2769 of 2014

WEB COPY

Arockiarooba

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Represented by its Secretary,
Higher Education Department,
Fort Saint George, Chennai - 6.

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the second respondent to appoint the petitioner as Graduate Assistant (Backlog Vacancies) through Employment Registration seniority for the year 2010-11 by Direct Recruitment for English in the light of G.O.(Ms). No.72, dated 30.04.2013 with all monitory benefits.

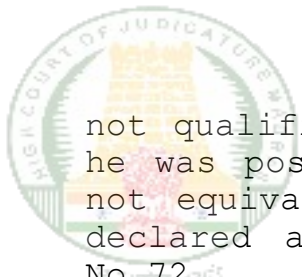
For Petitioner : Mr.V.Sasikumar
For Respondent-1 : Mrs.S.Srimathy,
Special Government Pleader
For Respondent-2 : Mr.V.R.Shanmuganathan
Special Government Pleader

O R D E R

The relief sought for in the present writ petition is for a direction to direct the second respondent to appoint the writ petitioner as Graduate Assistant through Employment Registration seniority for the year 2010-11 by Direct Recruitment for English in the light of G.O.(Ms). No.72, dated 30.04.2013 with all monitory benefits.

2. The writ petitioner on completion of his Educational qualification registered his name in the District Employment Exchange, Sivagangai District. The grievance of the petitioner is that though he is fully qualified for appointment to the post of Graduate Assistant, his name was not sponsored for appointment by the Employment Exchange.

3. The learned Special Government Pleader appearing on behalf of the second respondent states that the writ petitioner is



not qualified for appointment to the post of Graduate Assistant as he was possessing the B.A. Degree (English) vocational, which is not equivalent to B.A.Literature. However, the said decrees were declared as equivalent subsequently on 30.04.2013 in G.O. (Ms) No.72.

WEB COPY

4. The fact remains that the name of the writ petitioner was not sponsored for selection. Mere registration of the name in the employment exchange would not confer any right on the candidate to seek an appointment to a particular post. Undoubtedly, the list of eligible candidates should be sponsored with reference to the respective seniority of the candidatures and by following the communal rotation and by rule of reservation. Mere completion of degree or eligible would not confer any right for the purpose of sponsoring the name of the candidates for appointment to the particular post. The writ petitioner has not established that any one of the candidates junior to him in the same category was sponsored and appointed. In the present case, the writ petitioner was not possessing the requisite qualification for appointment to the post of Graduate Assistant. This being the factum, the relief as such sought for to direct the respondents to appoint the writ petitioner as Graduate Assistant cannot be granted. All appointments are to be made strictly in accordance with the recruitment rules in force and in the event of issuing any recruitment notification, the petitioner is at liberty to participate in the process of selection in the manner known to law. This Court wishes the writ petitioner to get an employment on merits through open competitive process.

5. With the above observation, the writ petition stands dismissed. No Costs.

Sd/-

Assistant Registrar(AE)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Secretary,
Government of Tamil Nadu,
Higher Education Department,
Fort Saint George, Chennai - 6.
2. The Chairman,
Teachers Recruitment Board,
EVK Sampath Maligai,
4th Floor, DPI Compound,
College Road, Chennai - 6.

W.P[MD] No. 2769 of 2014
16.07.2019