



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2019

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P[MD]No.481 of 2014

and

M.P.[MD]No.1 of 2014

Trachy Rathi

... Petitioner

Vs.

1.The Secretary to the Government,
School Education Department,
Fort St. George,
Chennai - 09.

2.The Secretary,
Teacher's Recruitment Board,
4th Floor, E.V.K. Sampath Maligai,
College Road,
Chennai - 600 006.

3.The Director School Education,
College Road,
Chennai - 600 006.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to appoint the petitioner as a B.T.Assistant in the available sanctioned vacant posts as per the Teacher eligible test conducted by the second respondent dated 14.10.2012.

For Petitioner	: Mr.D.Anbarasu
For Respondents 1&3	: Mrs.S.Srimathy Special Government Pleader
For Respondent No.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 respondents to appoint the petitioner as B.T.Assistant, in the available sanctioned posts as per the Teachers Eligibility Test conducted by the second respondent dated 14.10.2012.

2.The writ petitioner claims that she is fully qualified for appointment to the post of B.T.Assistant. The Writ Petitioner



participated in the Teachers Eligibility Test conducted by the Competent authorities. Subsequently, the writ petitioner appeared in the process of interview and in the certificate verification held on 10.11.2012. But, the writ petitioner was not appointed to the post of B.T.Assistant in spite of the fact that she is fully qualified and cleared the Teachers Eligibility Test.

3.Mere acquisition of the requisite qualification is not a ground to secure appointment. A candidate who is possessing the requisite educational qualifications, in the event of succeeding in the process of selection, then alone the order of appointment can be issued. Mere participation in the process of selection or possessing of the Teachers Eligibility Test would not confer any right on the candidate to file a writ petition in order to get a direction to secure appointment.

4.All appointments are to be made strictly in accordance with the recruitment rules in force. Mere clearance of the Teachers Eligibility Test is not a ground to claim appointment to the post of B.T.Assistant. The Writ petitioner has to participate in the process of selection and only in the event of selection by the competent authorities, appointment orders are to be issued by following the procedures and in accordance with the terms and conditions of the recruitment notification. This being the procedure to be followed, the writ petitioner's claim that she is fully qualified and passed Teachers Eligibility Test cannot be accepted as a ground for granting the relief as such sought for in this Writ Petition. The Writ Petition is devoid of merits.

5.Accordingly, the Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(P & A)

// True Copy //

Sub Assistant Registrar(CS)

MR

To

1.The Secretary to the Government,
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Chennai - 09.

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3.The Director School Education,
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+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 75750

W.P[MD]No.481 of 2014

16.07.2019

DB (CO)

TR (26.07.2019) 3P 5C