

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.01.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.219 of 2020

G.Jagadeeswari

...Petitioner

Vs.

1. The State of Tamil Nadu,
Rep by its Secretary to Government,
Higher Education (K2) Department,
Fort St. George, Chennai 600 009.
 2. The Director of School Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai 600 006.
 3. Teachers Recruitment Board,
represented by the Chairman,
4th Floor, E.V.K.Sampath Maaligai,
College Road, Chennai 600006
- ...Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 3rd respondent to call the petitioner for counseling and appoint the petitioner as BT Assistant in Chemistry in any of the Government Middle Schools or High Schools in Chennai during the academic year 2019-2020 or in the subsequent academic year 2020-2021.

For Petitioner
For Respondents

: Mrs.C.Uma
: Mrs.V.Annalakshmi
Government Advocate

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O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the 3rd respondent to call the petitioner for counseling and to appoint the petitioner as a BT Assistant (Chemistry) in any of the Government Middle School or High School.

2. The case of the petitioner is that she wrote the TET exams and when she participated in the selection, there was no Government order declaring that B.Sc in Applied Science is equal to B.Sc Chemistry. The recruitment was over as early as in the year 2017 itself. Subsequently, an equivalence committee has found that the B.Sc Applied science is equal to B.Sc Applied Chemistry and a Government Order has also been issued in G.O.Ms.No.65, Higher Education Department, dated 24.04.2019. Based on the said Government order, the petitioner now wants her candidature to be considered for appointment to the post of B.T.Assistant (Chemistry).

3. Heard the learned counsel for the petitioner.

4. Mrs.V.Annalakshmi, learned Government Advocate appearing on behalf of the respondents submitted that the vacancies have already been filled up in the year 2017 and the petitioner cannot seek for a mandamus based on a subsequent Government order that was passed in the year 2019. Therefore, the learned counsel submitted that the petitioner cannot maintain this writ petition, since no cause of action for considering the candidature of the petitioner has arisen and the posts have already been filled up in the year 2017.

5. Taking into consideration the facts and circumstances of the case, the relief as sought for by the petitioner cannot be granted by this Court. It is reported that all the posts of BT Assistant has already been filled up and there is no vacancy. If at all, the petitioner wants to take advantage of the Government Order, it can be done only as and when any invitation is given by the respondent at a future point of time.

6. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar

// True Copy//

Sub Assistant Registrar

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To

1. The State of Tamil Nadu,
Rep by its Secretary to Government,
Higher Education (K2) Department,
Fort St. George, Chennai 600 009.

2. The Director of School Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai 600 006.

3. Teachers Recruitment Board,
represented by the Chairman,
4th Floor, E.V.K.Sampath Maaligai,
College Road, Chennai 600006.

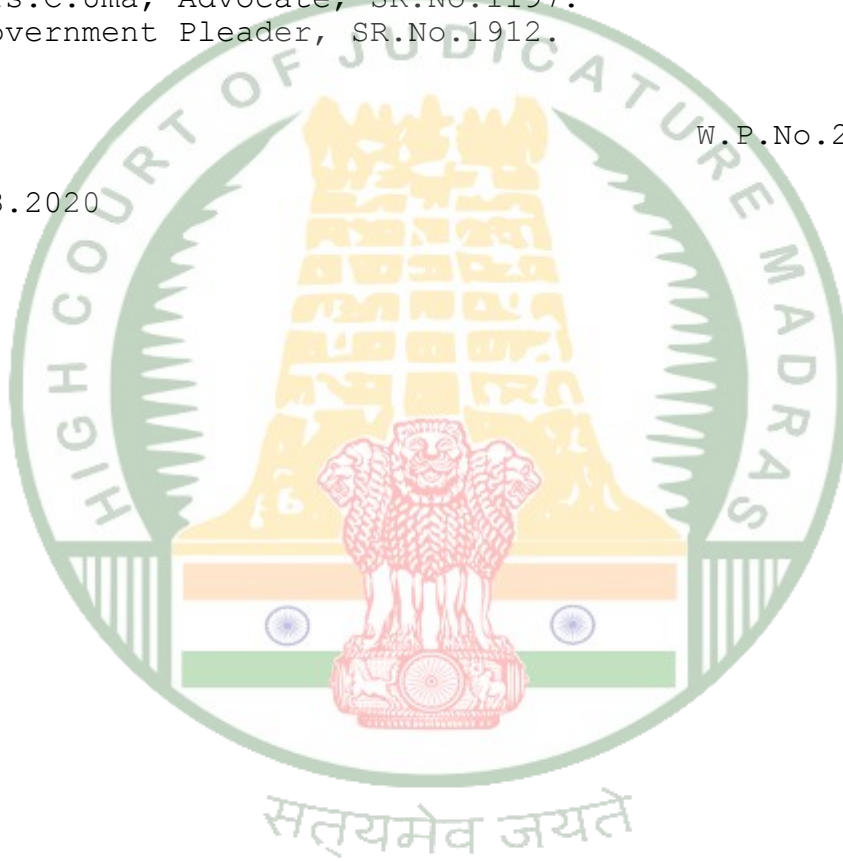
+1cc to Mrs.C.Uma, Advocate, SR.No.1197.

+1cc to Government Pleader, SR.No.1912.

W.P.No.219 of 2020

EV(CO)

CSR: 02.03.2020



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