

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.3209 of 2020

M.Velayutham

Petitioner

vs.

1. The Government of Tamil Nadu,
Rep. by its Secretary,
Department of School Education,
Fort St. George,
Chennai - 600 009.

2. The Chairman,
Teachers Recruitment Board,
College Road,
Chennai.

3. The Director of School Education,
EVK Sampath Maaligai,
Fourth Floor, DPI Complex,
Chennai.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to declare the petitioner as eligible/successful candidate to the post of B.T. Assistant in Tamil and to appoint the petitioner as B.T. Assistant in Tamil as per the TET examination 2013 within the time stipulated by this Court.

For Petitioner : Ms.P.Uma

For Respondents: Mrs.V.Annalakshmi
Government Advocate for R1 & R3

Mr.C.Munusamy
Special Government Pleader for R2

O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the 2nd respondent to declare the petitioner as an eligible candidate to the post of B.T. Assistant in Tamil and to appoint the petitioner as per the TET examination that was conducted in the year 2013.

2.The case of the petitioner is that he is a visually disabled person and he appeared in the TET examination conducted by the 2nd respondent in the year 2013 and cleared the same in the year 2014. The further case of the petitioner is that, he participated for the selection to the post of B.T. Assistant and he was also called for certificate verification by the 2nd respondent on 08.06.2017. According to the petitioner, he had appeared and submitted the certificates before the 2nd respondent. The petitioner further states that the 2nd respondent orally informed that he is not eligible for the post, since the petitioner has not completed the required qualification in the manner prescribed under the Rules. The petitioner had repeatedly approached the respondents for the last two years and since there was no response, the present petition has been filed before this Court.

3.Heard Ms.P.Uma, learned counsel appearing on behalf of the petitioner, Mrs.V.Annalakshmi, learned Government Advocate appearing on behalf of the respondents 1 and 3 and Mr.C.Munusamy, learned Special Government Pleader appearing on behalf of the 2nd respondent.

4.Even according to the petitioner, the certificate verification was completed in May 2017. It is more than two years since the petitioner had even made an effort to get information with regard to the stage of selection. The petitioner could have at least approached this Court and sought for a direction to the Teachers Recruitment Board. After two and half years, the petitioner has approached this Court seeking for direction to the 2nd respondent to declare the petitioner as a successful candidate.

5.The learned Government Advocate on instructions submitted that the entire selection is over and therefore, there is no question of accommodating the petitioner or declaring the petitioner as an eligible candidate.

6.In the considered view of this Court, the petitioner should have been vigilant enough to follow up the selection which happened in the year 2017 and in a case of this nature, time becomes an essence. The process of selection has got over long back. The petitioner is now nearly 50 years and it will be difficult for this Court to give any positive directions to the respondents at this stage.

7.In view of the above discussion, this Court does not find any merits in this petition and accordingly the same is dismissed. No Costs.

Sd/-
Assistant Registrar (CS-I)

//True copy//

Sub Assistant Registrar

ssr

To

1. The Secretary,
Department of School Education,
Fort St. George,
Chennai - 600 009.
2. The Chairman,
Teachers Recruitment Board,
College Road,
Chennai.
3. The Director of School Education,
EVK Sampath Maaligai,
Fourth Floor, DPI Complex,
Chennai.

+1cc to Ms.P.Uma, Advocate SR.No.10993

+1cc to Government Pleader SR.No.11824

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NMI (CO)
GMY (16/03/2020)

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