



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 18.02.2020
CORAM:

WEB COPY

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.NOs.3157 & 3158 of 2020
and
WMP Nos. 3665 & 3666 of 2020

W.P. No.3157 of 2020

M. Dheivanai

... Petitioner

-Vs-

1. The State of Tamil Nadu
Rep. by its Secretary,
School Education Department
Secretariat, Chennai.
2. The Chairman
Teachers Recruitment Board
4th Floor, E.V.K. Sampath Maligai
College Road, Chennai 6.
3. The Member Secretary
Teachers Recruitment Board
4th Floor, E.V.K. Sampath Maligai
College Road, Chennai 6.
4. The Director of School Education
College Road, Chennai 6.
5. The Chief Educational Officer
O/o. the Chief Educational Officer
Near Collectorate
Dharmapuri 636 705

... Respondents

W.P. No.3158 of 2020

C. Jayakumar

...Petitioner

-vs.-

1. The State of Tamil Nadu
Rep. by its Secretary,
School Education Department
Secretariat, Chennai.



2. The Chairman
Teachers Recruitment Board
4th Floor, E.V.K. Sampath Maligai
College Road, Chennai 6.

3. The Member Secretary
Teachers Recruitment Board
4th Floor, E.V.K. Sampath Maligai
College Road, Chennai 6.

4. The Director of School Education
College Road, Chennai 6.

5. The Chief Educational Officer
O/o. the Chief Educational Office
Collectorate Campus
Salem 636 001.

Prayer in 3157 of 2020 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 2nd respondent to select the petitioner for appointment to the post of P.G. Assistant (Mathematics) in conformity with the order dated 20.12.2019 made in W.P. No.35301 of 2019 on the file of this Hon'ble Court and consequently to direct the 4th respondent to appoint the petitioner as P.G.Assistant (Mathematics) within the period that may be stipulated by this Hon'ble Court.

Prayer in 3158 of 2020 : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 2nd respondent to select the petitioner for appointment to the post of P.G. Assistant (Geography) in conformity with the order dated 20.12.2019 made in W.P. No.35305 of 2019 on the file of this Hon'ble Court and consequently to direct the 4th respondent to appoint the petitioner as P.G.Assistant (Geography) within the period that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.S.Nambi Arooran
in both the Writ Petitions

For Respondents in both the Writ Petitions

for R2 and R3 : Mr.C. Munusamy
Special Government Pleader

for R1, R4, R5 : Mrs. V. Annalakshmi
Government Advocate



COMMON ORDER

It is brought to the notice of this Court that the petitioners have already participated in the counseling pursuant to the interim order passed by this Court.

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2. The learned counsel for the petitioners submitted that this Court had already passed an order in W.P. No.35301 of 2019 and W.P. No.35305 of 2019 dated 20.12.2019, wherein this Court had set aside the rejection of the candidature of the petitioners and directed the respondents to take into consideration the qualification of the petitioners and the mark obtained by them and proceed further with the process of selection. The learned counsel for the petitioners submitted that in view of this order and the fact that the petitioners have already participated in the counseling, the respondents have to now proceed further with the selection.

3. The learned Government Advocate submitted that an appeal has been filed against the orders passed by this Court in W.P.Nos.35301 and 35305 of 2019.

4. In the considered view of this Court, till the orders of this Court is interfered in the appeal, the same will continue to be in force and the respondents cannot deny the petitioners their right of being considered for appointment. In fact, the petitioners should not have been driven to this Court seeking for permission to participate in the counseling. The earlier orders passed by this Court gives a right to the petitioners to participate in the counseling. The candidature of the petitioners will have to be considered for selection by virtue of the earlier orders passed by this Court. The third and fourth respondent are directed to proceed further with the selection of the petitioners and issue appointment orders, if they have otherwise qualified in the selection. This can be made subject to the result of the Writ Appeal, which is in the process of being filed by the third respondent.

5. Both the Writ Petitions are disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-VIII)

// True Copy//

Sub Assistant Registrar

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To

1. The Secretary, State of Tamil Nadu
School Education Department, Secretariat, Chennai.
2. The Chairman
Teachers Recruitment Board
4th Floor, E.V.K. Sampath Maligai, College Road, Chennai 6.
3. The Member Secretary
Teachers Recruitment Board
4th Floor, E.V.K. Sampath Maligai, College Road, Chennai 6.
4. The Director of School Education
College Road, Chennai 6.
5. The Chief Educational Officer
O/o. the Chief Educational Officer
Near Collectorate, Dharmapuri 636 705.
6. The Chief Educational Officer
O/o. the Chief Educational Office
Collectorate Campus, Salem 636 001.

+2cc to Ajmal Associates, Advocates, SR.No.13833.

W.P.NOs.3157 & 3158 of 2020

GJ(CO)

CSR: 19.02.2020

CSR: 20.02.2020