

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.25130 of 2013

And

M.P.No.1 of 2013

P.Ravichandran

... Petitioner

Vs.

1. The Government of Tamilnadu,
Rep. by its Secretary,
School Education Department,
Fort.St.George,
Chennai - 600 009.
2. The Director of Elementary Education,
EVK Sampath Malligai,
DPI Compound,
College Road,
Chennai - 600 006.
3. The Director,
Teachers Recruitment Board
4th Floor, E.V.K.Sampath Maaligai,
DPI Compound, College Road,
Chennai - 600 006.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to appoint the petitioner in the post of Graduate Assistant on the basis of certificate verification done in 14.05.2010 and also on the basis of the state vide seniority maintained in the employment exchange without insisting on the petitioner to write Teachers Eligibility Test as a pre-condition for appointment.

For Petitioner
For Respondents

: Mr.S.Vijayakumar
: Mr.S.Suresh Kumar
Government Advocate

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to appoint the petitioner in the post of Graduate Assistant on the basis of the Certificate Verification done on 14.05.2010 and also on the basis of the State Wide seniority maintained in the Employment Exchange without insisting on the petitioner to write Teachers Eligibility Test as a pre-condition for appointment.

2.The case of the petitioner is that the petitioner has passed B.Ed. Degree during March, 1994 and registered the same in the Employment Exchange. On the basis of his enrolment in the Employment Exchange, the petitioner was called for Certificate Verification on 14.05.2010 for appointment to the post of Graduate Assistant, however, he was not given any appointment order. Aggrieved by the same, the petitioner has filed this writ petition.

3.The grievance of the petitioner is that he cannot be compelled to write the Teachers Eligibility Test to get appointment to the post of Graduate Assistant as the Teachers Eligibility Test was introduced only in the years 2011 - 2012 and 2012 - 2013.

4.The learned counsel appearing for the petitioner fairly submitted that the selection process was of the year 2010, however, the petitioner filed the writ petition only in the year 2013. He further submitted that since the petitioner was called for Certificate Verification on 14.05.2010 for appointment to the post of Graduate Assistant, he cannot be compelled to write the Teachers Eligibility Test, as the same was introduced only in the years 2011 - 2012 and 2012 - 2013.

5.Heard the arguments advanced on either side and perused the materials available on record.

6.Perusal of records disclose that the petitioner has passed B.Ed. Degree during March, 1994. Further, the petitioner was called for Certificate Verification on 14.05.2010 for appointment to the post of Graduate Assistant. However, the said selection process was not processed thereafter.

7.The Teachers Eligibility Test, was introduced in the years 2011 - 2012 and 2012 - 2013 and thereafter, the selection process was entrusted with the Teachers' Recruitment Board. Hence, without passing the Teachers Eligibility Test, the petitioner cannot be appointed to the post of Graduate Assistant.

8.Further, after a lapse of nearly seven years, this Court finds that nothing would survive for adjudication in this writ petition. This writ petition is accordingly dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
School Education Department,
Fort.St.George,
Chennai - 600 009.
2. The Director of Elementary Education,
EVK Sampath Malligai,
DPI Compound,
College Road,
Chennai - 600 006.
3. The Director,
Teachers Recruitment Board
4th Floor, E.V.K.Sampath Maaligai,
DPI Compound, College Road,
Chennai - 600 006.

+1cc to Government Pleader in Sr. 26108/2020

सत्यमेव जयते

W.P.No.25130 of 2013

And

M.P.No.1 of 2013

SSV (CO)
RV (08/09/2020)

WEB COPY