

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 03.11.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.6879 of 2013

A.S.Suresh

.. Petitioner

- Vs -

1.The District Employment Officer,
District Employment Office,
Tiruvallur,
Tiruvallur District.

2.The Chairman,
Teachers' Recruitment Board,
D.P.I.Complex,
College road,
Nungambakkam,
Chennai 600 006.

3.The District Collector
Tiruvallur District,
Tiruvallur.

4.The Special Tahsildhar
Adi Dravidar Welfare Department,
Tiruttani,
Tiruvallur District.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, directing the 1st respondent to sponsor the name of the petitioner to the respondent 2 and 3 for employment in the Revenue Department and also for the post of Teaching and Non Teaching Staff in the government school as well as private aided school.

For Petitioner : M/S. S.N.Ravichandran

For Respondents : Mr.S.Thangavel, Spl.G.P for RR1,3 & 4
:Mr.C.Munusamy, Spl.G.P for R2

ORDER

This writ petition was filed by the petitioner, to direct the 1st respondent to sponsor the name of the petitioner to the respondents 2 and 3 for employment in the Revenue Department and also for the post of Teaching and Non Teaching Staff in the government school as well as private aided school.

2. It is the case of the petitioner that the petitioner was possessed of a land in Survey No.175/2A to an extent of 21 cents, and the said land was acquired for the provision of burial ground to the downtrodden people under the Land Acquisition Act for the welfare of the Adi Dravidar people and sale deed was executed on 11.12.2008 in favour of the 3rd respondent herein. Pursuant to the same, a priority certificate in the employment was given to the petitioner by the 4th respondent herein attested by the 1st respondent herein on 16.12.2008 and thereafter he registered his name in the 1st respondent employment exchange. It is the averment of the petitioner that he belongs to backward community and possessed BBA degree qualification and also completed Teachers' Training Course in the year 2008 and he registered the same in the employment exchange which was renewed periodically. The grievance of the petitioner is that though he is possessed of eligible qualification and also registered his name in the employment exchange and also in possession of priority certificate, so far his name was not sponsored for employment either in the Education Department for teaching and non teaching post or for any other post in other government departments under the control of 3rd respondent herein. Aggrieved by the same, initially the petitioner addressed a representation to the Chief Minister's Cell on 15.11.2012 and thereafter made representations to the 3rd and 4th respondents herein on 02.01.2013, which evoked no response, which prompted him to file the present petition.

3. Mr.S.N.Ravichandiran, learned counsel appearing for the petitioner submitted that though the facts as projected by the petitioner have been accepted by the respondent in their counter, however, it is an admitted fact, as revealed by para-2 of the counter that as of now Teacher Eligibility Test (TET) is a requirement for consideration of candidature by the Teacher Recruitment Board and in case of non teaching post, the priority categories are destitute widow and inter-caste married persons. Further, learned counsel for the petitioner, while concurring with the averments given in the counter, however, submits that it would suffice if this Court issues a direction to the respondents to consider the petitioner's case in accordance with rules within a prescribed time frame.

4. On the above contention, this Court heard the learned Special Government Pleaders appearing for respondents who has no serious objection to such a direction being issued.

5. In view of the limited relief sought for, without going into the merits of the contentions raised on either side, this Court directs the 3rd and 4th respondents to consider the petitioner's representation dated 02.01.2013 and pass appropriate orders on merits and in accordance with law within a period of three weeks from the date of copy of this order, if not considered already.

6. With the above direction, this Writ Petition is disposed of. In the said circumstances there shall be no order as to costs.

-sd-

Assistant Registrar (CS)

//True copy//

Sub Assistant Registrar

To

1. The District Employment Officer,

District Employment Office,
Tiruvallur,
Tiruvallur District.

2. The Chairman,

Teachers' Recruitment Board,
D.P.I. Complex,
College road,
Nungambakkam,
Chennai 600 006.

3. The District Collector

Tiruvallur District, सत्यमेव जयते
Tiruvallur.

4. The Special Tahsildhar

Adi Dravidar Welfare Department,
Tiruttani,
Tiruvallur District.

• 1 c.c. To MR.S.V.RAVICHANDRAN, Advocate SR.NO. 35562

• 2 To The Government Pleader SR.NO.35636 & 35654

WP.NO.6879/2013

VSN-II (CO)

RRI 22/12/2020