



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.19382 of 2014

and

M.P(MD).Nos.1 and 2 of 2014

WEB COPY

B.Mariammal

...Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
School Education TRB Department,
St.George Fort,
Chennai-09.

2.The Director of School Education,
Chennai-06.

3.The Secretary ,
Tamil Nadu Teachers Recruitment Board,
EVK Sampath Maligai,
DPI Compound,
Chennai.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Declaration, declaring the selection and appointment of candidates with less than 90 marks in TET (Teacher Eligibility Test) to the the post of B.T.Assitant in English as illegal and consequently to select and appoint the petitioner with 91 marks in TET to the post of B.T. Assistant English within the time period stipulated by this Court.

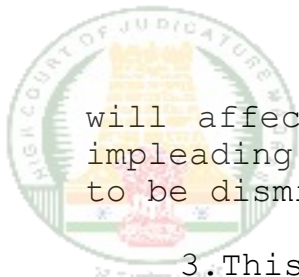
For Petitioner : Mr.S.S.Thesigan

For Respondents : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to declare the selection and appointment of candidates with less than 90 marks in TET (Teacher Eligibility Test) to the post of B.T Assistant in English as illegal and consequently, to appoint the petitioner with 91 marks in TET (Teacher Eligibility Test) to the post of B.T Assistant in English.

2.The writ petition was filed in the year 2014. Though the prayer sought for in the writ petition is to declare the selection and appointment of candidates as null and void, all those selected and appointed persons were not impleaded as respondents in this writ petition. Cancelling the appointment of those selected candidates,



will affect their rights. Thus the writ petition is filed by not impleading the necessary parties. Thus, the writ petition is liable to be dismissed on the ground of non joinder of necessary parties.

3.This apart, the writ petition has not established any illegalities or irregularities in the matter of selection. The general selection cannot be relied upon by setting aside the entire process of selection or appointment orders issued to the selected candidates. In the absence of specific allegations and by implementing necessary parties, the relief as such cannot be granted at this length of time. This apart, the selected candidates were working for several years. This being the factum, the relief as such sought for cannot be granted and accordingly, this writ petition stands dismissed. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

vsg/dss

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

- 1.The Principal Secretary to Government,
The State of Tamil Nadu,
School Education TRB Department,
St.George Fort,
Chennai-09.
- 2.The Director of School Education,
Chennai-06.
- 3.The Secretary ,
Tamil Nadu Teachers Recruitment Board,
EVK Sampath Maligai,
DPI Compound,
Chennai.

+1 CC to M/s.SPL GP (SR-22344[F] dated 20/11/2020)

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CK(CO)

KB(01.12.2020) 2P 5C

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