



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2020

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE **S.M.SUBRAMANIAM**

W.P.(MD) No.9722 of 2014

and

M.P.(MD)No.1 of 2014

V.Rajakumar

...Petitioner

Vs.

1.The State of Tamil Nadu
rep by its Secretary,
Education Department,
Fort St. George,
Chennai - 600 009.

2.The Chairman,
Teachers Recruitment Board
College Road,
Chennai - 600 006.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents herein to appoint the petitioner herein as Graduate Teacher to VI to VIII Std., pursuant to his selection on 11.01.2014 and Certificate Verification on 24.01.2014 on par with his juniors within reasonable time.

For Petitioner : Mr.K.Appadurai

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

O R D E R

The relief sought for in the writ petition is for a direction to direct the respondents to appoint the petitioner as graduate teacher to 6 to 8th standard pursuant to his selection on 11.01.2014 and certificate verification on 24.01.2014 on par with his juniors.

2.The petitioner states that he has completed M.Sc., (Mathematics) M.Ed., M.Phil. The petitioner has participated in the process of selection for appointment to the post of graduate



3. The learned counsel appearing on behalf of the writ petitioner states that the recruitment notification was issued on 22.05.2013. The writ petitioner participated and secured higher marks in spite of that he was not appointed.

WEB COPY

4. The fact remains that the petitioner participated in the process of selection. Even if he was selected, no appointment order was issued in view of the fact that subsequently, the procedure for selection was changed. This apart mere selection to a particular post would not confer any right on the candidates. Though the petitioner states that some other juniors were appointed, those juniors were not impleaded as party respondents to ascertain the correct facts. At the outset the selection would not confer right of appointment. The Authorities are empowered to cancel the selection.

5. In the present case, admittedly, the writ petitioner was not appointed. The court cannot issue a direction to appoint the petitioner in the writ petition. In the present case, the direction sought for is to appoint the petitioner as a graduate teacher. Further the selection was conducted in the year 2013 and the writ petition was filed in the year 2014 and now the petitioner is aged about 44 years. Under these circumstances, the relief as such sought for in the present writ petition cannot be granted and therefore, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

rm

To

1. The Secretary

The State of Tamil Nadu
Education Department,
Fort St. George,
Chennai - 600 009.



2.The Chairman,
Teachers Recruitment Board
College Road,
Chennai - 600 006.

WEB COPY

+1 CC to M/s.GP (SR-19580[F] dated 09/10/2020)

W.P.(MD) No.9722 of 2014

sss(CO)

TR(16.10.2020) 3P 4C