



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2020

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WEB COPY

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

W.P.(MD) No.2961 of 2015
and
M.P.(MD) Nos.1 to 3 of 2015

S.Prabaharan

...Petitioner

Vs.

1.The Chairman,
Teachers Recruitment Board,
Chennai - 600 006.

2.The Director of School Education,
College Road,
Chennai - 600 006.

3.S.Thangapandi

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned provisional merit list of third respondent as PG Assistant (Economic) under MBC/DNC for the year 2012-2013, quash the same in so far as not following the rule of sponsoring all the equivalent candidates under MBC/DNC and consequently direct the respondents 1 and 2 herein to call for the certificate verification of the petitioner and issue a final merit list for PG Assistant (Economic) under MBC/DNC for the year 2012-2013.

For Petitioner : Mr.K.Appadurai

For Respondents 1 & 2: Mr.J.Gunaseelan Muthiah,
Additional Government Pleader

For R-3 : No Appearance

O R D E R

The relief sought for in the writ petition is to call for the records relating to the impugned provisional merit list of third respondent as PG Assistant (Economic) under MBC/DNC for the year



2012-2013, quash the same in so far as not following the rule of sponsoring all the equivalent candidates under MBC/DNC and consequently direct the respondents 1 and 2 herein to call for the certificate verification of the petitioner and issue a final merit list for PG Assistant (Economic) under MBC/DNC for the year 2012-2013.

2.The petitioner states that he has completed M.A., (Economics) B.Ed. The petitioner has participated in the process of selection for appointment to the post of Graduate Assistants

3.The learned counsel appearing on behalf of the writ petitioner states that the recruitment notification was issued on 09.05.2013. The writ petitioner participated and secured higher marks in spite of that he was not appointed.

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 Assistants. Further the selection was conducted in the year 2013 and the writ petition was filed in the year 2015 and now the petitioner is aged about 36 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 petitions are closed.

Sd/-

Assistant Registrar (Writ)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The Chairman,
Teachers Recruitment Board,
Chennai - 600 006.

2.The Director of School Education,
College Road,
Chennai - 600 006.

+1 CC to SGP (SR-19579[F] dated 09/10/2020)

W.P.(MD) No.2961 of 2015

08.10.2020

AC (CO)

NR (28/10/2020) 3P : 4C