

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2021

CORAM

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR

W.P. No. 22181 of 2011

1. C.Baskar (Maths)
2. K.Mokshadayni (Botany)
3. P.Suddha Rani (Chemistry)
4. E.Venkatesalu (Physics)
5. K.Prasad (Maths)
6. R.Illayaraja (Maths)
7. M.Jagannath (Maths)
8. A.M.Damodharan (Maths)
9. P.M.Muniraja (Physics)
10. Venkatesha (Chemistry)
11. D.Sasikumar (Maths)
12. S.N.Narayanaswamy (Physics)
13. C.Ravi (Chemistry)
14. M.Jayakrishna (History)
15. V.Sivaprasad (Physics)
16. N.Prakash (Maths)
17. N.Koteswara Rao (Chemistry)Petitioners

-vs-

1. The Secretary to Government Educational Board,
Fort St.George, Chennai - 600 006.
2. The Chairman,
Teachers Recruitment Board,
DPI Compound,
College Road,
Chennai - 600 006.
3. The Director of School Education,
DPI Compound,
College Road, Chennai - 600 006.
4. The Director of Elementary Education,
DPI Compound,
College Road, Chennai - 600 006.Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the second respondent herein to send the intimation

letter to the petitioners for certificate verification to fill up the post of Graduate Teachers in Telugu Medium Schools in the vacancies available in Government Schools as well as Private Aided Schools in the State.

For Petitioners : No appearance

For Respondents : Mr.C.Munusamy
Special Government Pleader for R2
Mr.S.Sureshkumar
Govt. Advocate for R1,R3&R4

O R D E R

The prayer sought for herein is for a Writ of Mandamus directing the second respondent herein to send the intimation letter to the petitioners for certificate verification to fill up the post of Graduate Teachers in Telugu Medium Schools in the vacancies available in Government Schools as well as Private Aided Schools in the State.

2. All these petitioners, according to them, were qualified to be considered for appointment to the post of Language Teacher in Telugu and they have already registered their educational qualification in the Employment Exchange, based on which, they want an action from the respondents especially the second respondent / Teachers Recruitment Board to call these petitioners for certificate verification on the basis of the seniority and accordingly select and appoint in Language Teacher Post (Telugu).

3. In this context, they have given a representation to the respondents on 08.06.2011. Therefore, seeking to consider the said plea raised by the petitioners, they filed the present Writ Petition with the aforesaid prayer of mandamus.

4. There is no representation for the petitioners when the case is called. However, Mr.S.Sureshkumar, learned Government Advocate appearing for the first, third and fourth respondents and Mr.C.Munusamy, learned Special Government Pleader appearing for the second respondent, on instructions, would submit that, in those years, the recruitment was made by following the seniority, registered in the Employment Exchange and subsequently, the system got changed, where those who are having necessary qualifications would respond to the notification inviting application by the second respondent, pursuant to which, the eligible candidates can apply and thereafter, they can undergo the process of Competitive Examination to get selected. When such a procedure is adopted in this regard by way of selection, no Teachers can be appointed on employment seniority basis, which means, the present petitioners who seek appointment in Language Teacher (Telugu) cannot be entertained

and the plea raised by the petitioners cannot be considered by the respondents and the petitioners cannot automatically be called for certificate verification for the purpose of appointment as the system of making appointment by merely verifying the certificate i.e., minimum educational qualification obtained by the candidates concerned based on the employment seniority, has already been done away.

5. I have considered the said submissions made by the learned Government Advocate and the learned Special Government Pleader appearing for the respondents and have perused the materials placed before this Court.

6. As has been rightly pointed out by the learned counsel appearing for the respondents, since the system of selecting and making appointment of Teachers in Government Schools under various categories, through Employment Exchange, is the old method and now the system got changed, where, those who are eligible to apply for Teachers post for various categories, have to make application in response to the notification as issued in this regard, depending upon the vacancies, where the candidates have to undergo the process of Competitive Examination as well as interview and depending upon the vacancies, based on interse merit only among them who participated in such selection process, final selection would be made and accordingly, appointment can be given to the successful candidates. Therefore, the question of giving representation to call for certificate verification, as has been sought for by the petitioners does not arise at all, pursuant to which, no direction can be given by this Court by way of mandamus as sought for.

7. In that view of the matter, there is no merits in the plea raised by the petitioners. Hence, this Writ Petition fails and accordingly, it is liable to be dismissed, hence it is dismissed. However, there shall be no order as to costs.

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

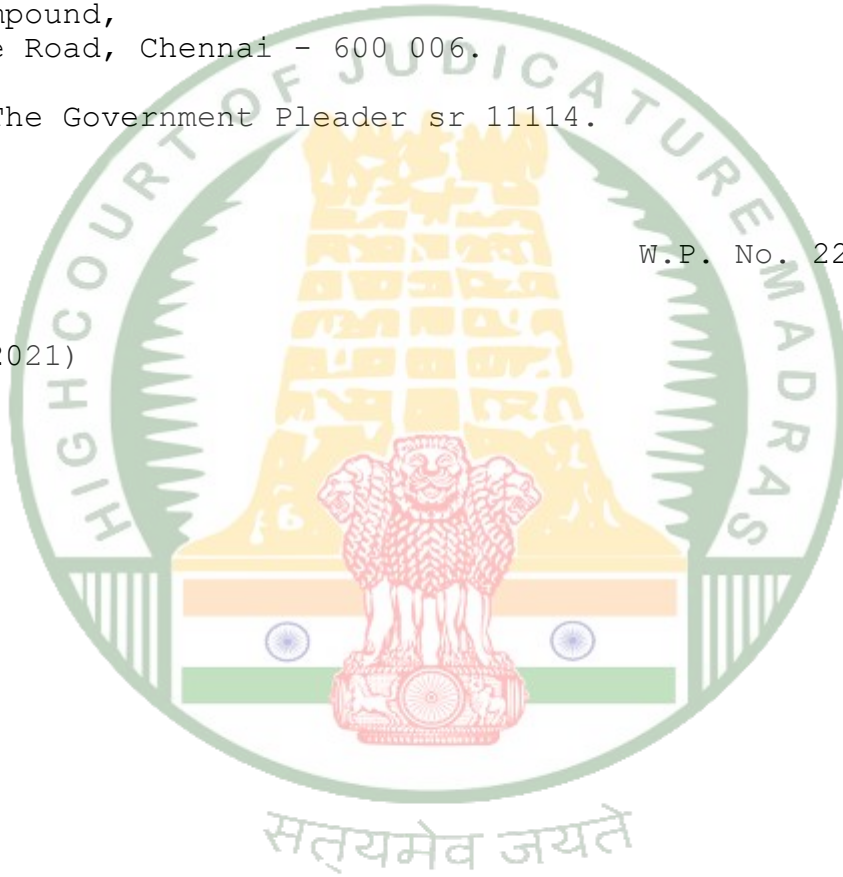
vji
To

1. The Secretary to Government Educational Board,
Fort St.George, Chennai - 600 006.

2. The Chairman,
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 4. The Director of Elementary Education,
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- +1 CC to The Government Pleader sr 11114.

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PL(CO)
SP(15/06/2021)



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