



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 6.12.2021

CORAM

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P.No.8420 of 2010

B.SUNIL KUMAR

S/O.BABU,

DOOR NO.25 D.A.B.C. LAYOUT,

MENAMBEDU, AMBATTUR CHENNAI-53.

... PETITIONER

Vs.

1 THE CHAIRMAN

TEACHERS RECRUITMENT BOARD, CHENNAI.

2 THE DEPUTY DIRECTOR

PROVISIONAL AND EXECUTIVE EMPLOYMENT

EXCHANGE, SANTHOME, CHENNAI-4.

... RESPONDENTS

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus, calling the records of 2nd respondent pertaining to the order No.A1/B.T.Assistant/10 dated 04.01.2010 and quash the same and consequently direct the 2nd respondent to recommend the name of the petitioner to 1st respondent for the appointment of B.T.Assistant with all consequential benefits.

For Petitioner : Mr.A.Kalaiselvan

For Respondent No.1 : Mr.C.Kathiravan,
Spl. Govt. Pleader

For Respondent No.2 : Mr.P.Anandakumar, G.A.

O R D E R

According to the petitioner, petitioner has completed P.G. in Physics in the year 1993, B.Ed. in the year 1994 and P.G. Arts in Population Studies in the year 2000. On 23.11.1993, the petitioner registered his name in the employment



office i.e. the office of the second respondent herein with all qualifications and his registration Number is PE/16214/93. The petitioner came to know that second respondent sponsored names of the registered candidates for filling up vacancies for the post of B.T. Assistant. Though the petitioner possessed requisite qualifications and sufficient seniority for appointment, the petitioner's name was not sponsored by the second respondent to the first respondent, whereas his juniors names were sponsored by the second respondent. The petitioner has made representation, dated 16.12.2009 with a request to include his name in the list of sponsoring candidates. However, his request was negatived on the ground that the petitioner belongs to other district. Again, the petitioner made representation stating that he is permanent resident of Chennai and further stated that the petitioner registered his name only in the second respondent office not in any other employment office. Since the said representation does not evoke any response, the petitioner has filed the present writ petition before this Court.

2. Counter affidavit has been filed by the second respondent wherein it is stated that the petitioner has registered his educational qualification at the professional and Executive Employment Office in the year 1993 which is not live at present. His educational qualification details are as follows:

Qualification	Subject	NCO Code	Seniority date
Post Graduate Science	Physics	00010	23.11.1993
Post Graduate Arts	Population Studies	X0135	09.05.2001
Graduate Education	Education	15110	28.02.1995
P.G.Diploma Science	Water Pollution Management		18.01.2013

In the counter affidavit, it is further stated that the required qualification to get recommended for B.T.Assistant is a U.G. Degree with B.Ed. Qualification. But in the case of the petitioner, he has not registered his U.G. Degree with Professional and Executive Employment Office, Guindy, Chennai as he belongs to Thiruvallur District. But he has registered his P.G. Degree and B.Ed. Qualification with the second respondent office, therefore, his name was not sponsored to the first respondent.



3. Heard the rival submissions of the parties and perused the materials available on record.

4. At the time of admission, miscellaneous petition filed by the petitioner for interim direction was dismissed by this Court. The case of the petitioner is that while his junior names were sponsored, the petitioner's name was not sponsored by the second respondent. However, the petitioner has not impleaded the selected candidates who are necessary parties in the present writ petition.

5. Considering the statement made in the counter affidavit and In view of the non joinder of necessary parties for effective adjudication of the writ petition, the writ petition is liable to be dismissed.

6. Consequently, the writ petition stands dismissed. No Costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

- 1 THE CHAIRMAN
TEACHERS RECRUITMENT BOARD, CHENNAI.
- 2 THE DEPUTY DIRECTOR
PROVISIONAL AND EXECUTIVE EMPLOYMENT
EXCHANGE, SANTHOME, CHENNAI-4.

+1cc to Mr.C.Kathiravan, Advocate, S.R.No.64469

+1cc to the Government Pleader, S.R.No.64879

W.P.No.8420 of 2010

PL(CO)
SU(19/01/2022)