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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2021

CORAM

THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.No.22792 of 2021
and W.M.P.No.24016 of 2021
(Through Video Conferencing)

- 1.S.Shivakavithaa
- 2.K.Balashanmugam
- 3.M.Gomathi
- 4.V.C.Gayathridevi
- 5.V.R.Poongodi
- 6.S.Pandiyarajan
- 7.D.Senthilkumar
- 8.N.Naveendrakumar
- 9.V.Vinothkumar
- 10.N.Madhu
- 11.K.Kesavan

...Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Chief Secretary to Government,
Human Resources Management Department,
Fort St. George, Chennai - 600 009.
2. Teachers Recruitment Board,
Represented by its Chairman,
EVK Sampath Maaligai,
DPI Campus, College Road,
Chennai - 600 006.
3. The Director of School Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai - 600 006.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of a Writ of Mandamus directing the third respondent to call the petitioners for Certificate Verification to verify whether the petitioners satisfy the guidelines in G.O.Ms.No.82, Human Resource Management (S) Department dated 16.08.2021 and if the petitioners satisfy the guidelines the third respondent may be directed to issue a appointment orders to the petitioners for the post of Special Teachers in Drawing under the PSTM (Persons Studied in Tamil Medium) quota pursuant



to the Notification No.05/2017, dated 26.07.2017 coming under the Tamil Nadu Educational Subordinate Service based on the Tentative Provisional Selection List dated 13.08.2018 published by the second respondent.

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For Petitioners: Mrs.Nalini Chidambaram
Senior Counsel
for Ms.C.Uma

For Respondents:
For R1 & R3 : Mr.L.S.M.Hasan Fizal
Government Advocate

For R2 : Mr.C.Kathiravan
Government Advocate

ORDER

Mr.L.S.M.Hasan Fizal, learned Government Advocate takes notice on behalf of the first and third respondents and Mr.C.Kathiravan, learned Government Advocate takes notice on behalf of the second respondent.

2. The case of the petitioners is that the petitioners participated in the recruitment proceedings in terms of notification No.05 of 2017 of the second respondent dated 26.07.2017. It is further case of the petitioners that all the petitioners have satisfied the requirements under the notification and were also tentatively selected and their names were included in the provisional list issued by the first respondent on 13.08.2018. Thereafter, the petitioners have not been called for certificate verification and therefore the petitioners have sent representation dated 09.02.2021.

3. The learned counsel for the petitioners submits that after the decision of the Hon'ble Madurai Bench of this Court in W.P(MD).No.8025 of 2020 vide order dated 22.03.2021, the Government has also issued with G.O.Ms.No.82, Human Resources Management (S) Department dated 16.08.2021. It is further submitted that even in the subsequent notification called for appointment vide notification No.02 of 2021 dated 26.02.2021 also the petitioners are eligible. However, their representations for being appointed in terms of notification No.05 of 2017 dated 26.07.2017 has not evoked any response from the respondents.

4. Appearing on behalf of the first and third respondents, the learned Government Advocate submits that the respondents have not filed a copy of the notification dated 22.10.2021 and that the certificate verification got over on 23.10.2021 and on



24.10.2021 and therefore the writ petition is liable to be dismissed as infructuous.

5. Heard the learned counsel for the petitioners and the learned Government Advocates for the respondents.

6. This Writ Petition is disposed by directing the respondents to pass appropriate orders on the representation dated 09.02.2021 of the petitioners considering the fact that the certificate verification was completed only on 24.10.2021 without intimating the petitioners as to why they were not been called for certificate verification. This exercise shall be carried out by the respondents within a period of four weeks from today. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

arb

To

1. The Chief Secretary to Government,
Government of Tamil Nadu,
Human Resources Management Department,
Fort St. George, Chennai - 600 009.
2. The Chairman,
Teachers Recruitment Board,
EVK Sampath Maaligai,
DPI Campus, College Road,
Chennai - 600 006.
3. The Director of School Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai - 600 006.

+1cc to Mrs.C.Uma, Advocate, S.R.No.55543
+1cc to the Government Pleader, S.R.No.55842

W.P.No.22792 of 2021
and

W.M.P.No.24016 of 2021

KV(CO)
RGA(17/11/2021)