



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.14377 OF 2012

P.Senguttuvan

... Petitioner

.Vs.

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

... Respondent

PRAYER:-

Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorarified Mandamus to call for the records in proceedings Nil dated Nil, on the file of the respondent, pertaining to the non selection of the petitioner and quash the same as illegal, incompetent and unconstitutional and further direct the respondent to appoint the petitioner to the post of PG Assistant, based on his seniority with the employment exchange and pass orders.

(Prayer amended as per order dated 23.08.2012 made in M.P.No.2 of 2012 in W.P.No.14377 of 2012)

For Petitioner : Mr.V.Raghavachari

For Respondent : Mr.C.Kathiravan
Special Government Pleader

ORDER

This writ petition has been filed seeking to issue a Writ of Certiorarified Mandamus to quash the impugned proceedings, pertaining to the non selection of the petitioner and further direct the respondent to appoint the petitioner to the post of PG Assistant, based on his seniority with the employment exchange.



2. The case of the petitioner in brief:

The petitioner belonged to Most Backward community and he had Master Degree in Zoology and is also Graduate in M.Ed. He registered his degrees before the Employment Office, Chennai on 29.08.1990 for the post of PG Teachers. Subsequently, he attended an interview on 12.03.2010 and produced all the records for certificate verification.

2.1. Later, a notification was issued by the respondent for filling up the existing vacancies of 84 posts, wherein, 8 posts were allotted to MBC quota general. The cut off date for seniority to the post of PG Teacher (Zoology) MBC was fixed as 14.09.1990. Thereafter, the petitioner was called upon to attend the interview on 09.01.2012 and he had also attended the same. However, a person, junior to the petitioner, who is not eligible for the above post, was selected by the respondent,. The selection was not made in the manner known to law and the petitioner demanded to show the results of the interview in person, however it was declined. Hence this writ petition.

3. The contentions stated in the counter affidavit in brief:

The respondent Board had received list of candidates sponsored from the Employment Exchange at the ratio of 1:5, to recruit the post of Graduate Assistants and the petitioner is one among the candidates. While selection list was drawn, the cut off date of the last candidate selected in the General Turn (General) was 07.06.1989 and Most Backward Class (General) category was 24.07.1990. But, the date of registration by the petitioner was 29.08.1990. Hence the petitioner was not considered for selection.

3.1. Further, while filling up vacancies for women candidates, they will be considered in General Turn and Women Turn. Hence, the cut off date for selection of Most Backward Class (Women) Turn was 03.05.1991. If there is no candidates available under the category of MBC (W) turn, then only, the petitioner would be considered under the above Category. But, in MBC (W) turn, eligible candidates were available. Therefore, the petitioner's name was not considered as against MBC (W) turn and hence, the writ petition is liable to be dismissed.

4. Inview of the above statements made in the counter affidavit, it is clear that the date of registration of the petitioner was 29.08.1990 and the cut off date of the last candidate selected in the Most Backward Class (General) category was 24.07.1990. Further, the cut off date for selection of Most Backward Class (Women) Turn was 03.05.1991 and if no candidates are available in the above category, the petitioner's name would



be considered. But, since eligible candidates were available in the above category, the petitioner's name was not considered as against MBC (W) turn. Therefore, this court is of the view that there is no merits in the writ petition and hence, the same is liable to be dismissed.

5. Accordingly, this writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

mst

To

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

+1cc to Mr.V.Raghavachari, Advocate, S.R.No.216
+1cc to Mr.C.Kathiravan, Advocate, S.R.No.222

W.P.NO.14377 OF 2012

RGN(CO)
PBS/21/01/2022