



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.03.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.4111 of 2022
and WMP.No. 4244 of 2022

K.P.Ragupathy

... Petitioner/Petitioner

vs.

1.The State of Tamil Nadu
Rep. By its Secretary to Government,
Elementary Education Department,
Fort St. George, Chennai-600009.

2.Teachers Recruitment Board,
rep. By its Chairman,
4th Floor, EVK Sampath Maaligai,
DPI Complex, College Road,
Chennai-600006.

...Respondents/Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, Directing the 2nd respondent to release the selection list for 120 vacancies in the post of Block Educational officer notified under Notification No. 13/ 2019 dated 27.11.2019 in one stage by reserving 20 percentage of the vacancies for persons who studied in Tamil Medium (PSTM) based on the guidelines given in G.O. Ms. No. 145 (Personnel and Administrative Reforms (S) Department dated 30.09.2010 and consequently forbearing the 2nd Respondent from issuing appointing orders to the candidates based on the provisional selection List dated 04.02.2022 for direct recruitment for the post of Block Educational officer in Elementary Education Department for the year 2018 - 2019 pursuant to Notification No. 13/2019, dated 27.11.2019 .

For Petitioner : Mrs.Nalini Chidambaram,
Senior Counsel for M/s.C.Uma

For Respondents : Mr. R.Neelakandan, AAG
assisted by
Mr.C.Kathiravan, Spl.GP - R2
Mrs.P.Raja Rajeswari, GA- R1



O R D E R

The learned counsel for the petitioner has submitted that the petitioner has acquired BSc (Physics) degree from the Government Arts College, Coimbatore and also B.Ed from D.K.T. College of Education, Tiruppur. The 2nd respondent had issued notification 13/2019, dated 27.11.2019 inviting applications by online mode from eligible candidates for the direct recruitment for the post of Block Educational Officer in Elementary Education Department for the year 2018-19. After conducting examinations and certificate verifications, the 2nd respondent had released the provisional selection list on 04.02.2022 in respect of 97 vacancies. According to the learned counsel for the petitioner, remaining 23 vacancies also to be included in the provisional list.

2. The contention of the learned counsel for the petitioner is that unless the provisional selection list for all the 120 vacancies are released in one stage the reservation for PSTM candidates and the communal reservation cannot be done in accordance with law.

3. Per contra, on instructions, the learned Additional Advocate General has submitted before this Court that as per para 9 clause c of the notification no.13/2019, dated 27.11.2019, the candidates who claims reservation under PSTM category has to produce Tamil Medium Study Certificate in the prescribed format for U.G and B.Ed/Equivalent degrees.

4. Further, the Board has followed the above procedure in the said selection process as per G.O.Ms.No.145 P&AR (S) Department, dated 30.09.2010 and subsequently, the Government issued an order in GO (MS) No. 82 HRM (S) Dept,, dated 16.08.2021. After issuance of the said G.O, the Board had included 23 additional vacancies for the year 2019-2020 and 2020-21 sought by the Director of Elementary Education vide letter dated 07.11.2021, which is additional to already notified vacancies. The learned Additional Advocate General has further submitted that the Board has addressed the Government to issue suitable clarification on the above issue. Further, the communal turn and the roster point have already fixed as per the existing rules and guidelines and will not undergo any modification.

5. On perusal of the Notification No. 13 of 2109, dated 27.11.2019 , it is clearly stated that the additional 23 vacancies will be included in the recruitment for the year 2019-



2020 and 2020-21, the petitioner who appeared for the recruitment for the year 2018-2019 cannot claim such vacancies. Further the respondent-Board has also addressed to the Government and awaiting clarification on the said issue, therefore, at this stage, this Court cannot grant relief as prayed for by the petitioner. However, if any final decision taken by the respondent-Board on the said issue, it is open to the petitioner to approach this Court and seek remedy.

6. With the above liberty, the writ petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

ak
To

1. The Secretary to Government,
Elementary Education Department,
Fort St. George,
Chennai-600009.

2. The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Complex, College Road,
Chennai-600006.

+1cc to Ms.C.Uma, Advocate Sr.16934

WP.No.4111 of 2022
and WMP.No. 4244 of 2022

sr[co]
srg 08/04/2022