



WEB COPY



WP No.20441 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07-11-2022

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.20441 of 2018

And

WMP Nos.24013 and 24014 of 2018

S.Parvathavarthini

..

Petitioner

vs.

The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Salai,
DPI Campus,
College Road,
Chennai – 600 006.

..

Respondent

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to consider the claim of the writ petitioner to the post of Sewing Teacher in pursuance to the Notification No.05/2017 dated 26.07.2017 issued by the respondent in the Reserve Category (Differently Abled Person) and to select and appoint the petitioner.



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For Petitioner

: Mr.G.Ilamurugu

For Respondent

: Mr.C.Kathiravan,
Special Government Pleader (TRB).

ORDER

The relief sought for in the present writ petition is to direct the respondent to consider the claim of the writ petitioner to the post of Sewing Teacher pursuant to the Notification No.05/2017 dated 26.07.2017.

2. The petitioner participated in the process of selection for appointment to the post of Sewing Teacher pursuant to the Recruitment Notification issued by the respondent on 26.07.2017. However, the petitioner was unsuccessful in the process of selection and not called for certificate verification.

3. The petitioner states that the Quota for Differently Abled Persons was not granted and in the event of considering the case of the writ petitioner under the Differently Abled Persons Quota, she will be selected.



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4. In this regard, the learned Special Government Pleader, appearing on behalf of the respondent, drew the attention of this Court that the Differently Abled Candidates were considered for selection under two categories. Category-I relates to persons with 'Blindness and Low Vision' and Category-IV indicates 'Autism, Intellectual Disability, Specific Learning Disability and Mental Illness/Multiple Disabilities'.

5. The petitioner belongs to MBC category and she was not within the zone of consideration even under the Differently Abled Persons Quota. Thus, the petitioner was not considered for selection and appointment.

6. The mere direction to consider the claim of the writ petitioner for appointment cannot be granted. The petitioner has to establish that she is entitled for selection or the process of selection was tainted with the allegations of mala fides or the corrupt practices. In the absence of any such ground, the selection cannot be questioned by an unsuccessful candidate.

7. For all the aforementioned reasons, the writ petition stands



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dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are also dismissed.

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Index : Yes/No.
Internet : Yes/No.
Speaking Order/Non-Speaking Order.
Svn

To

The Chairman,

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Teachers Recruitment Board,
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S.M.SUBRAMANIAM, J.

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