



WEB COPY



W.P.Nos.2470 and 2471 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 04.11.2022**

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

**W.P.Nos.2470 and 2471 of 2016**

|                |                                          |
|----------------|------------------------------------------|
| 1.A.Nitya      | ... Petitioner<br>in W.P.No.2470 of 2016 |
| 2.S.Rajakumari | ... Petitioner<br>in W.P.No.2471 of 2016 |

Vs.

1.The State of Tamil Nadu,  
Represented by its Secretary,  
Department of School Education,  
Fort St. George, Chennai – 6.

2.The Director of School Education,  
DPI Campus, College Road,  
Chennai.

3.The Member Secretary,  
Teachers Recruitment Board,  
4<sup>th</sup> Floor, EVK Sampath Malligai,  
College Road, Chennai – 6.

... Respondents  
in Both 2W.Ps

**Common Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2<sup>nd</sup> respondent to act upon its selection list dated 02.04.2015.



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|                 |                                                                                |
|-----------------|--------------------------------------------------------------------------------|
| For Petitioners | : Mr.K.Anbarasan<br>(in both W.Ps)                                             |
| For R1 & R2     | : Mrs.S.Mythreye Chandru<br>Special Government Pleader<br>(in both W.Ps)       |
| For R3          | : Mr.C.Kathiravan<br>Special Government Pleader<br>[For TRB]<br>(in both W.Ps) |

### **COMMON ORDER**

The relief sought for in these present writ petitions are to direct the 2<sup>nd</sup> respondent to act upon its selection list on 02.04.2015 and appoint the candidate.

2. The petitioners state that they had participated in the process of certificate verification for appointment to the post of Secondary Grade Teacher (Computer Instructor). Though the authorities competent completed the selection, they have not acted upon the selection list by issuing order of appointment. Thus, the petitioners are constrained to move these present writ petitions.



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3. Mere selection would not confer any right on the candidate to seek appointment. Only in the event of any irregularity or illegality in the process of selection and appointment, then alone the aggrieved candidates can approach the Competent Court of Law. In the present case, the certificate verification was done. However, the candidates were finally selected and appointed.

4. The learned Special Government Pleader appearing on behalf of the respondents made a submission that the petitioners were not within the zone of consideration and therefore, they were not considered. That apart, the process of selection underwent many changes and now the recruitment is done through Teachers Recruitment Board and the petitioners have to participate in the process of selection, if any notified by the Recruitment Board. Based on the certificate verification conducted in the year 2015 and now this Court cannot direct the authorities to issue an order of appointment.



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5. Accordingly, these Writ Petitions stand dismissed. No costs.

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Index : Yes

Speaking order

To

- 1.The Secretary,  
The State of Tamil Nadu,  
Department of School Education,  
Fort St. George, Chennai – 6.
- 2.The Director of School Education,  
DPI Campus, College Road,  
Chennai.
- 3.The Member Secretary,  
Teachers Recruitment Board,  
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**S.M.SUBRAMANIAM, J.**

Jeni

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