



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date: 04.01.2022

CORAM

THE HON'BLE MR. JUSTICE V.PARTHIBAN

W.P.No.24116 of 2021

&

W.M.P.Nos.25416 & 25417 of 2021

A.Shameem

...Petitioner

Vs.

1. The Secretary to the Government,
School Education Department,
Secretariat,
Chennai - 600 009.

2. The Chairman,
Teachers Recruitment Board,
O/o.4th floor, E.V.K Sampath Maligai,
DPI Campus, College Road,
Chennai - 600 006.

...Respondents

Writ Petition filed under Article 226 of Constitution of India, for issuance of writ of Certiorarified Mandamus calling for the records relating to the impugned order/provisional list dated 12.10.2021 issued by the 2nd respondent for wrongly categorizing the petitioner as not belonging to Tamil Medium and quash the same as illegal insofar as it is relates to petitioner and direct the 2nd respondent to select the petitioner to the post of Special Teacher (Sewing) under Tamil Medium category as per Notification No.5/2017, dated 26.07.2017 issued by the 2nd respondent.

For Petitioner : Mr.S.Udhaya Kumar

For Respondents : Mr.Abishek Moorthy
Government Advocate (for R.1)

Mr.C.Kathiravan (for R.2)



ORDER

When the matter is taken up for hearing, on behalf of the second respondent, a counter affidavit has been filed. In paragraph 12 of the counter, it is stated as follows;

"12.It is submitted that the writ petitioner had already been selected under BCM W community and she is ineligible under PSTM category and therefore reserving one post vacant would cause great prejudice to the Board as there are fully eligible and meritorious candidates who are eligible for appointment under PSTM category."

2.In view of the averments as above stating that the petitioner has already been selected against the BCM Women category, this Court finds that no further cause of action survives for consideration. Therefore, this Writ Petition stands dismissed as infructuous.

3.The second respondent/Board shall initiate appropriate action and shall further process the candidature of the petitioner in terms of her selection as admitted above as expeditiously as possible but not later than four weeks from the date of receipt of a copy of this order.

4.With the above observations, the Writ Petition stands dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

mrm/tri

To

1. The Secretary to the Government,
School Education Department,
Government of Tamil Nadu,
Secretariat,
Chennai - 600 009.



2. The Chairman,
Teachers Recruitment Board,
O/o.4th floor, E.V.K Sampath Maligai,
DPI Campus, College Road,
Chennai - 600 006.

+1cc to M/s.S.Udhaya Kumar, Advocate, S.R.No.271

+1cc to Mr.C.Kathiravan, Advocate, S.R.No.939

+1cc to the Government Pleader, S.R.Nos.1079 & 1080

W.P.No.24116 of 2021 &
W.M.P.Nos.25416 & 25417 of 2021

SMI (CO)
SU (07/02/2022)