



WEB COPY

W.P.No.27330 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:13.10.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

**W.P.No.27330 of 2022 and
W.M.P. 26513 of 2022**

K.M. Chinnasamy

... Petitioner

VS.

1.The Chairman,
Teachers Recruitment Board,
College road, Chennai - 600 006.

2.The Member Secretary
Teachers Recruitment Board,
College road, Chennai - 600 006.

3.The Director of School Education,
DPI Compound, College Road,
Chennai - 600 006.

4.The Secretary
Diamond Jubilee Higher Secondary School
Gobichettipalayam, Erode District.

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India for writ of Mandamus directing the first Respondents herein to consider the petitioner's representation dated 22.02.2021 in the light of the order passed in W.P.No. 20896 of 2008 dated 23.03.2009 and confirmed in W.A. 2427/2010



WEB COPY

W.P.No.27330 of 2



dated 19.04.2013.

For Petitioner : Mr. R.S. Anandan

For Respondents 1 and 2 : Mr.C. Kathiravan
Special Government Pleader

For Respondent 3 : Mr.C. Sathish
Government Advocate

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the first respondent to consider the petitioner's representation dated 22.02.2021 and pass appropriate orders in the light of the order passed in W.P.No. 20896 of 2008 dated 23.03.2009 and confirmed in W.A. 2427/2010 dated 19.04.2013.

2. Mr. C. Kathiravan, learned Special Government Pleader accepts notice on behalf of the first and second respondents and Mr. C. Sathish, learned Government Advocate accepts notice on behalf of the third respondent. Since no adverse orders are going to be passed against the fourth respondent, notice to the fourth respondent is dispensed with by this Court. By consent of both parties, this writ petition is taken up for final disposal in the admission stage itself.



WEB COPY

3. The petitioner had earlier filed W.P.No.20896 of 2008 before this Court. By order dated 23.03.2009, in the said writ petition, a direction was issued to the respondents to keep one post vacant and to consider the petitioner's representation seeking for appointment to the post of PG Aassistant in Botony in Erode District in accordance with law. Aggrieved by the order dated 23.03.2009, the respondents preferred W.A.No.2427 of 2010. By order dated 19.04.2013, the Division bench dismissed the said writ appeal.

4. According to the petitioner, the order dated 23.03.2009 passed in W.P.No.20896 of 2008 is yet to be implemented by the respondent. In such circumstances, he has given a representation on 22.02.2021 seeking for implementation of the order dated 23.03.2009 passed in W.P.No.20896 of 2008.

5. Heard Mr.B.S.Anandan, learned counsel for the petitioner, Mr. C. Kathiravan, learned Special Government Pleader appearing for the first and second respondents and Mr. C. Sathish, learned Government Advocate



appearing for the third respondent.

6. Learned counsel for the petitioner submits that only now vacancy has been arisen in Erode District, which is the reason for not filing the writ petition earlier.

7. No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law within a time frame to be fixed by this court in the light of the order passed in W.P.No. 20896 of 2008 dated 23.03.2009 and confirmed in W.A. 2427/2010 dated 19.04.2013.

8. For the forgoing reasons, this court directs the third respondent to pass final orders on the petitioner's representation dated 22.02.2021 seeking for his appointment to the post of P.G.Assistant in Botony in Erode District on merits and in accordance with law in the light of the order passed in W.P.No. 20896 of 2008 dated 23.03.2009 and confirmed in W.A. 2427/2010 dated 19.04.2013 within a period of twelve weeks from the date of receipt of a copy of this order.



WEB COPY

9. With the aforesaid direction, this writ Petition is disposed of. No costs. Consequently, connected writ miscellaneous petition is closed.

13.10.2022

nl

Index:Yes/No

Speaking/Non-speaking orders

To

- 1.The Chairman,
Teachers Recruitment Board,
College road, Chennai - 600 006.
- 2.The Member Secretary
Teachers Recruitment Board,
College road, Chennai - 600 006.
- 3.The Director of School Education,
DPI Compound, College Road,
Chennai - 600 006.
- 4.The Secretary
Diamond Jubilee Higher Secondary School
Gobichettipalayam, Erode District.

5/6



WEB COPY

W.P.No.27330 of 2



ABDUL QUDDHOSE, J.
nl

W.P.No.27330 of 2022

13.10.2022