



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.01.2022**

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WEB COPY

W.P. [MD] .No.1499 of 2022

W.M.P. [MD] .Nos.1300 & 1301 of 2022

T.Senthilkumar,
Block Resource Teacher Educator,
Block Resource Center,
Manapparai, Trichy District.

... Petitioner

Vs.

1.The Government of Tamil Nadu,
The Principal Secretary to Government, (School Education),
Fort St.George, Chennai-9.

2.The Commissioner of School Education,
DPI Campus, College Road,
Nungambakkam, Chennai-6.

3.The Joint Director (Personal),
Department of School Education,
DPI Campus, College Road,
Nungambakkam, Chennai-6.

4.The Chief Educational Officer,
Karur, Karur District.

5.The Chief Educational Officer,
Trichy, Trichy District.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to impugned clause 4(1)(ஆ),(அ), and clause 4(III)(ix) and clause 4(III)(x) insofar as insisting condition with regard to spouse should work above 30 km distance alone of G.O.(1d).No.134, School Education (Pa.Ka.5)(1) Department dated 18.08.2021 of the 1st respondent herein, the impugned seniority list dated 18.10.2021 of the third respondent, and the consequential impugned sanctioned vacancy list published in online on 20.10.2021 of the third respondent herein and the impugned order in Na.Ka.No.41779/C4/E1/2021 dated 20.10.2021 of the third respondent herein and impugned relieving order in Na.Ka.No.259/A1/ஒபக/2021 dated 20.10.2021 of the fourth respondent herein and quash the same and consequently direct the respondents herein to conduct fresh counselling for the BRTes by implementing the order dated 24.11.2021



in W.P(MD).No.16884 of 2021 of this Court or to accommodate the petitioner in any one of the vacancies in Kulithalai Union, Karur District.

For Petitioner : Mr.T.Pon Ramkumar
For Respondents : Mr.V.Nirmal Kumar
Government Advocate

O R D E R

This Writ Petition has been filed challenging clauses 4(1)(ஆ), (அ), (ஈ), 4(III)(ix) and 4(III)(x) of G.O.(1d).No.134, School Education (Pa.Ka.5)(1) Department dated 18.08.2021, the seniority list issued by the third respondent on 18.10.2021, the consequential vacancy list published by the third respondent on 20.10.2021 and the relieving order of the fourth respondent on 20.10.2021.

2. When the matter is taken up for hearing, the learned counsel for the petitioner, by referring the earlier order passed by this Court in W.P(MD).No.16884 of 2021, submits that this Court has already entertained a similar writ petition and quashed the clauses 4(1)(அ) and 4(III)(ix) of the Government Order in G.O.(1d).No.134, School Education (Pa.Ka.5)(1) Department dated 18.08.2021. Hence, he confines his relief to pass a similar order as that of the said writ petition.

3. Mr.V.Nirmal Kumar, learned Government Advocate takes notice for the respondent and submits that the Government has not preferred any appeal as against the said order. However, some of the BRTE's teachers have filed an appeal before the Division Bench of this Court.

4. In reply, the learned counsel for the petitioner submits that the Writ Appeals filed by the BRTE Teachers have been entertained by the Division Bench of this Court as against other clauses. However, no interim order has been granted.

5. Considering the relief sought for by the petitioner, this Writ Petition is partly allowed in respect of Clauses 4(1)(அ) and 4(III)(ix). It is needless to state that once clauses 4(1)(அ) and 4(III)(ix) are quashed, the Department is expected to conduct a fresh counselling by declaring those posts as vacant. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar(Writs)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



1.The Principal Secretary to Government, (School Education),
Fort St.George, Chennai-9.

2.The Commissioner of School Education,
DPI Campus,
College Road, Nungambakkam, Chennai-6.

3.The Joint Director (Personal),
Department of School Education,
DPI Campus, College Road,
Nungambakkam,
Chennai-6.

4.The Chief Educational Officer,
Karur, Karur District.

5.The Chief Educational Officer,
Trichy, Trichy District.

+1 CC to M/s.T.PON RAMKUMAR, Advocate (SR-2951[F] dated
28/01/2022)

+1 CC to M/s.SPL.GP (SR-3110[F] dated 31/01/2022)

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am(CO)
TR(21.03.2022) 3P 8C