



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.01.2022

CORAM:

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

W.P. (MD) No.13185 of 2020

K.Kudiarasan : Petitioner

Vs.

1.The Director,
School Education Department,
Chennai - 600 006.

2.The Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Compound, College Road,
Chennai - 600 006.

3.The Member Secretary,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maligai,
DPI Compound, College Road,
Chennai - 600 006.

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

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Mandamus directing the respondents to appoint the petitioner as Post Graduate Assistant in Chemistry forthwith with all other attendant benefits, including seniority, on par with those appointed as Post Graduate Assistant on 10.02.2020 in the direct recruitment for the post of Post Graduate Assistants / Physical Education Directors Grade - I in School Education and other Department for the year 2018-19, pursuant to the second respondent's notification no.10/2019 dated 12.06.2019, by considering the petitioner's representations dated 24.07.2020 & 27.07.2020.

For Petitioner : Mr.M.S.Jeyakarthik

For Respondents : Mr.J.Ashok,
Additional Government Pleader
for R.1 & R.4

**ORDER**

Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 & 4.

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2. According to the petitioner, pursuant to the notification issued by the second respondent dated 12.06.2019, he applied for the post of Post Graduate Assistants / Physical Education Directors Grade - I and was provisionally selected for the post of Post Graduate Assistant (Chemistry), under the reservation category of MBC / DNC. Though the candidates selected for the other posts in the very same recruitment were issued with appointment orders, the candidates who were selected as Post Graduate Assistant (Chemistry), including the petitioner, were not issued with any appointment orders.

3. It is the case of the petitioner that on enquiry, he came to know that some of the candidates, who appeared for the PG Assistant (Chemistry) post, have filed writ petitions before this Court in W.P.Nos.34099 of 2019, etc., batch, challenging the provisional selection list, inasmuch as fitting the meritorious candidates under MBC category instead of General Turn. This Court, by order dated 09.01.2020, directed the respondents to redraw the selection list, by fitting all the candidates under General Turn, based on their merit and rank, irrespective of their community and thereafter, to fill the communal quota. The respondents challenged by filing writ appeals in W.A.Nos.419, etc., batch, which were also dismissed on 19.03.2020. Even then, the respondents have not processed the list. Though the candidates selected for the other posts in the very same recruitment have joined in the respective posts, the candidates who were selected as Post Graduate Assistant (Chemistry), including the petitioner, were not issued with any appointment orders. In this regard, though the petitioner has sent representations, nothing has turned and therefore, he has filed the present writ petition.

4. When the matter is taken up for hearing today, learned Counsel for the petitioner submitted that it would suffice if the representation of the petitioner dated 24.07.2020 is directed to be disposed of, within a stipulated time limit.

5. In view of the limited scope of the relief sought for, this Court, without expressing anything on the merits of the case, directs the respondents 2 & 3 to consider the petitioner's representation dated 24.07.2020 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.



6. With the above directions, this writ petition stands disposed of. No costs.

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// True Copy //

Sd/-

Assistant Registrar(CS-II)

/ /2022

Sub Assistant Registrar(CS)

gk

To

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Chennai - 600 006.
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Sivagangai District.

+1 CC to M/s.SPL GP (SR-1267[F] dated 11/01/2022)

W.P. (MD)No.13185 of 2020
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TP(CO)
TR(04.02.2022) 3P 6C