



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 25.04.2022
CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WEB COPY

W.P.(MD) No.24889 of 2019
W.M.P(MD).No.21489 of 2019

R.Marichamy

... Petitioner

Vs

1.The State of Tamil Nadu,
Rep.by its Secretary,
Department of School Education,
Fort St.George, Chennai-600 009.

2.The Teachers Recruitment Board,
Rep.by its Member Secretary,
IVth Floor, EVK Sampath Maligai,
DPI Compound, College Road,
Chennai-600 006.

...Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the respondent No.2 to consider the petitioner for the post of Post Graduate Assistant in Commerce within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.G.V.Vairom Santhosh
Additional Government Pleader
for R1
Mr.V.R.Shanmuganathan for R2

O R D E R

The relief sought for in the present writ petition is to direct the respondent No.2 to consider the case of the petitioner for the post of Post Graduate Assistant in Commerce within the time stipulated by this Court.

2.The learned counsel appearing for the petitioner made a submission that the petitioner's family is the land loser as their valuable lands were acquired by the Government for public purpose in accordance with the Government Order in G.O.Ms.No.188 issued by Personnel and Administrative Reforms (Per P) Department dated 28.12.1976. Priority should be granted in the matter of public



appointments. In view of the fact that the case of the petitioner was not considered for appointment, the present writ petition has been filed.

3. The learned counsel appearing for the respondents made a submission that priority for land losers are provided as per the Government Order, only if the recruitments are made through District Employment Exchange. The land losers must register their names in the District Employment Exchange and accordingly, priority will be granted in the order of seniority.

4. This being the scope of the Government Order, the priority of the land losers is not applicable in respect of open competitive recruitment process undertaken in accordance with the Recruitment Rules in-force. As far as the Teachers Recruitment Board is concerned, they are recruiting the candidates only through open competitive process. Therefore, such priority has not been notified. Thus, the petitioner has to register his name in the District Employment Exchange for the purpose of availing the benefit of priority in the manner contemplated under the Government Policy.

5. The learned counsel appearing for the petitioner made a submission that the petitioner has already registered his name.

6. If so, his case is to be considered in accordance with the seniority and as per the Rules in-force. Accordingly, the Writ Petition stands disposed of. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (C.O)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

The State of Tamil Nadu,
Rep.by its Secretary,
Department of School Education,
Fort St.George, Chennai-600 009.

+1 CC to M/s.SPL GP. (SR-21280[F] dated 26/04/2022)

+1 CC to M/s.T. LAJAPATHI ROY, Advocate (SR-21064[F] dated 26/04/2022)

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