



W.P.No.23793 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :15.09.2023

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P. No.23793 of 2010

and

W.M.P. No. 1 of 2010

K.Kumar

... Petitioner

Vs.

1.The State of Tamilnadu
represented by the Secretary to Government,
School Education Department
Fort St. George,
Chennai – 600 009.

2.The Director of School Education,
College Road, Nungambakkam,
Chennai – 600 006.

3.The Teachers Recruitment Board,
Represented by the Chairman,
EVK Sampath Malligai,
College Road,
Chennai- 600 006.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India
for issuance of a Writ of Mandamus, directing the respondents 2 and 3 herein

1/8



W.P.No.23793 of 2010

to implement the Rule of Reservation in strict compliance with its object and policy in the recruitment to the post of Block Resource Teacher Educator in History in so far as the petitioner is concerned and thereby direct the respondents to consider the petitioner for selection and appointment to the post of Block Resource Teacher Educator in History with Roll Number X08230501 based on the certificate Verification conducted on 05.06.2010. (Prayer amended vide order dated 21.04.2023 made in WMP No.11945 of 2023 in W.P.No.23793 of 2010)

For Petitioner	:	Mr.A.R.Suresh
For R1 & R2	:	Mr.L.S.M.Hasan Fizal Additional Government Pleader
For R3	:	Mr.R.Neelakandan Additional Advocate General Assisted by Mr.C.Kathiravan

ORDER

This Writ petition has been filed for direction directing the respondents 2 and 3 herein to implement the Rule of Reservation with objection and policy in the recruitment to the post of Block Resource Teacher Educator in History and select the petitioner and appoint him to the post of Block Resource Teacher in the History Department.

2/8



2. Heard the learned counsel appearing for the petitioner, the learned Additional Government Pleader appearing for the respondents 1 & 2, the learned Additional Advocate General appearing for the third respondent and perused the materials available on record.

3. The petitioner is qualified with Under Graduation in History. He belongs to Hindu Adi Dravidar community which is classified as Scheduled Caste. The 2nd respondent issued Advertisement to fill up 564 posts of Block Research Teacher Education and thereby called for applications. Out of 564 posts, 90 posts were in turn History subject. The rule of reservation is applicable to this recruitment and accordingly, 18 candidates reserved for Scheduled Caste [Scheduled Caste Gen-11, SC(W)-4, SC(A)G-2, SC(A)W-1]. The petitioner was qualified in the competitive examination and written examination and he had scored 124 marks. However, he was not called for certificate verification.

4. On perusal of Selection list, the petitioner found that the the Scheduled Caste candidates who scored more marks than the candidates who



were selected in the General Turn. Even then the Scheduled Caste candidates were not selected under the General Turn. If at all the candidates, who scored more marks fitted against the vacancy under General Turn, the petitioner would have been selected under the Scheduled Caste Quota. The learned counsel also produced the list of selected candidates and he submitted that no candidate who scored more marks than the candidates who were selected under the General Turn were not selected under the General Turn.

5. The learned Additional Advocate General submitted that the 18 candidates were selected under Scheduled Caste (GW) and Scheduled Caste A(GW) as per the 200 point roster. Among the Scheduled Caste candidates 3 candidates were selected under General Turn Communal Turns. The list of selected candidates are as follows :

**SC and SCA Candidates selected in Community Reservation
Communal Turns**

Sl. No	Selection List Sl.No	Name	Community	Turn	Total	D.O.B
1	BV004	Kalimuthu M	SC	SC G	130	23.04.1979
2	BV005	Vijaya S	SCA	SC W	126	15.06.1978
3	CV056	Samayan K	SC	SC G	129	25.05.1970



Sl. No	Selection List Sl.No	Name	Community	Turn	Total	D.O.B
4	CV062	Ramuvelu C	SC	SC G	129	15.05.1976
5	CV066	Sathivadivel Kumar R	SCA	SCA G	122	18.05.1971
6	CV072	Sundar K	SC	SC G	129	03.09.1976
7	CV076	Chandravadhanam G	SC	SC W	124	03.02.1978
8	CV082	Jayasankar Y	SC	SC G	127	09.03.1974
9	CV086	Manickaraj P	SC	SC G	127	27.05.1980
10	CV092	Subbulakshmi R	SC	SC W	122	01.06.1973
11	CV102	Ambika P	SCA	SCA W	122	06.01.1981
12	CV106	Muniraju K	SC	SC SG	126	15.02.1975
13	CV112	Thangavelu T	SC	SC SG	126	10.04.1975
14	CV116	Sudhamathi R	SC	SC W	122	15.06.1978
15	CV122	Dhandayuthapani M	SC	SC SG	126	04.06.1982
16	CV126	Senthil Murugan C	SC	SC SG	125	06.05.1976
17	CV132	Ravi K	SCA	SCA G	122	05.06.1972
18	CV136	Emmanuel P	SC	SC SG	125	20.06.1976

SC and SCA Candidates selected in GT Communal Turns

1	CV75	Chelladurai C	SC	GT	129	15.06.1977
2	CV79	Raveendran E	SC	GT	128	03.04.1977
3	CV119	Raja R	SC	GT	126	01.02.1980

6. The learned counsel for the petitioner submitted that the person who scored lesser marks than the persons who was selected under selected under the General Turn Communal Turns. For an example, the first candidate selected under the Scheduled Caste General Turn scored 130,



whereas the person, one Chelladurai was selected under General Turn Communal Turn scored 129. Whatever be the category, the person who scored highest mark to be fitted under the General Turn. In order to clarify this point, the learned Additional Advocate General pointed out that the 200 roster points have been strictly followed in the selection of candidates for the Department of History.

7. Accordingly the Communal Turn Sl.No. 53 to 137 were applicable for selection of 90 post in the History Department. The Turn No.53 meant for MBC/DNC. The person who scored the highest mark under the Communal Turn was selected under the 53rd turn. Likewise, the 54th turn is meant for BC. The highest mark scored person under the BC communal turn was selected under 54th turn. The 55th turn is meant for GT. The person who scored highest mark in all Communal Turn was selected under the 55th turn. Accordingly, one Saravanan, who scored 132 under the category of BC was selected under the 55th turn. Likewise the 56th turn is meant for SC. The person, who scored highest mark under the Scheduled Caste communal turn, was selected under the 56th turn.



W.P.No.23793 of 2013

8. Therefore accordingly, the other persons as mentioned in the Tabular Column Sl.No.1 to 18, were selected under the respective communal turns and S.No. 19 to 21, were coming under the Scheduled Caste communal turn were selected under the General Turn. Therefore this Court finds no irregularity or infirmity in the selection process done by the respondents herein. That apart, the petitioner had scored only 124 mark. In any event, the petitioner cannot be selected, since the cut off marks under the Scheduled Caste communal turn is 125.

9. In view of the above, this Writ Petition is devoid of merits and is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

15.09.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
Lpp



WEB COPY



W.P.No.23793 of 2010

G.K.ILANTHIRAIYAN.J

Lpp

- To
- 1.The Secretary to Government,
School Education Department
Fort St. George,
Chennai – 600 009.
 - 2.The Director of School Education,
College Road, Nungambakkam,
Chennai – 600 006.
 - 3.The Teachers Recruitment Board,
Represented by the Chairman,
EVK Sampath Malligai,
College Road,
Chennai- 600 006.

W.P. No.23793 of 2010
and
W.M.P. No. 1 of 2010

15.09.2023