



WEB COPY



WP.No.19211 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P. No.19211 of 2013

and

M.P.No.3 of 2013

M. Jagadesan

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Petitioner

Vs

1. Government of Tamil Nadu,
Rep. by the Principal Secretary,
School Education Department,
Fort St.George, Chennai – 600 009.

2. Teachers Recruitment Board,
Rep. by its Member Secretary,
DPI Campus, College Road,
Chennai – 600 006.

3. The Joint Director,
Directorate of Employment and Training,
Guindy, Chennai – 600 032.

4. The District Employment Officer,
Hasthampatti, Salem – 7.

5. A.Arockiasamy

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Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India
praying to issue Writ of Certiorarified Mandamus calling for the records



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relating to the selection list published in the month of August 2012 for the Drawing Master post of Special Teacher in the year 2010-2011 and 2011-2012 and the impugned letter in Na.Ka.No.3303/A4/2011 dated 06.01.2012 issued by the 2nd respondent and quash the same as being illegal, arbitrary, unconstitutional and consequently direct the fourth respondent to forward the petitioner name for the Drawing Master post and thereafter the first and second respondent shall appoint the petitioner in the Drawing Master post of Special Teacher in the year 2010-2011 and 2011-2012. **(Prayer amended vide order dated 22.09.2017 made in WMP No.2707 of 2017 in W.P.No.19211 of 2013)**

For Petitioner : Mr.T.Sundaravadanam

ORDER

This Writ Petition has been filed challenging the selection list published in the month of August 2012 for the Drawing Master post of Special Teacher in the year 2010-2011 and 2011-2012.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner had completed his T.T.C. (Drawing Master) in the year 2003. Thereafter, 304 posts of Drawing Master was called for on 11.02.2012. It was due seniority and even then the petitioner was not called for neither in General Quota nor in the differently disabled quota. Both his upper hands are normal and he has suffering with 45% of in his



right leg. He completed his study in the year 2002 through disabled quota. However, as per the selection list, it does not contain 3% reservation for differently disabled persons. But three persons including the fifth respondent were selected under the disabled ortho persons in General Quota but not on the 3% reservation quota of 9 posts out of 304 Drawing Master posts.

4. A perusal of the counter filed by the fourth respondent revealed that in the year 2012, the second respondent notified 232 vacancies of Drawing Teachers. The qualification prescribed for the said vacancies is SSLC with Technical Qualification (a) degree with drawing and painting or Diploma in painting or Diploma in Drawing (b) Government Technical Examination Higher Grade in free hand outline and model drawing or Government Diploma in drawing or a certificate issued by the Tamil Nadu Institute of Architecture and sculpture at Mamallapuram and must possess Technical Teachers Certificate. Further, the Member Secretary of Teachers Recruitment Board has, by its letter dated 06.01.2012, clarified that for the post of Drawing Teacher and Physical Education Teacher Differently abled persons are not eligible for nomination. Therefore, the petitioner was not nominated for the post of Drawing teacher during the year 2012.



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5. Insofar as the selection of three persons under the disabled ortho general quota and 3% of reservation quota is concerned, disabled persons were not nominated under the reservation for the disabled but they were sponsored under non-PH category by virtue of their seniority and communal reservation. The fifth respondent has been nominated under Backward Class General Priority under dependent of Ex-Servicemen priority quota. The other two persons were nominated under open competition women non-priority and Scheduled Caste General Non-priority. However, the second respondent has not notified vacancies for the Differently Abled Persons. Therefore, the petitioner was not sponsored in the said post. Therefore, the writ petition is devoid of merits and is liable to be dismissed.

6. Accordingly, this writ petition stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

03.08.2023

Index:Yes/No
Internet:Yes/No
Lpp



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To

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G.K.ILANTHIRAIYAN,J.

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