



W.P.No.26989 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.10.2023

CORAM

THE HONOURABLE DR. JUSTICE D.NAGARJUN

W.P No.26989 of 2011

B.Sidamallu

...Petitioner

Vs.

1.The Chairman,
Teachers Recruitment Board,
Madras 6.

2.The District Employment Officer,
Erode District.

...Respondents

Second Respondent impleaded as per order dated 30.11.2011 by KSA J in MP.No.2 of 2011 and MP.No.5 of 2011 in W.P.No.2689 of 2011.

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the recruitment of Secondary Grade Teachers (Elementary Education Department) on the file of the first respondent in Proceedings No.Nil Dated Nil and quash the same as illegal incompetent, irregular and unconstitutional in so far as it fixes 14.06.2000 as the cut off date for registration with the employment exchange and direct the respondent No.2 and sponsor the petitioner to the 1st respondent for being appointed as a Secondary Grade Teacher (Kannada).



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For Petitioner : Mr.Avinash Wadhwani
for M/s.V.Srimathi

For Respondents 1 : Mr.R.Siddharth

For Respondent 2 : Mr.A.M.Ayyadurai

ORDER

This writ petition has been filed for quashing the impugned Proceedings and for a direction to the second respondent to sponsor the petitioner name for being appointed as a Secondary Grade Teacher (Kannada).

2. The facts in brief are that the first respondent/Teachers Recruitment Board appoints the Teachers based on the seniority list pending in the Employment Exchange. As and when appointments are made, as per the seniority list of the employment exchange, the names of those who were selected will be deleted from the employment exchange.

3. The petitioner registered his name in the employment exchange on 12.03.2011 with the registration No.1993MO6861 at District Employment



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Office, Vellore. The petitioner who belongs to Backward Community expected appointment to the post of Secondary Grade Teacher (Kannada) in the year 2011.

4. The first respondent/Teachers Recruitment Board caused a publication giving the details of the vacancies in category wise, general turn, employment registration date and the date of birth. Employment Exchange fixed the cut off date for Backward Community as 09.03.2001. The petitioner has not secured the employment, due to lapse on the part of the first respondent in non-properly scrutinizing their records while fixing the cut off date.

5. Learned counsel for the petitioner submitted that Mr.G.Venkatarathinamma, Mr. Rudhrappa and Mr.P.M.Subramania who belong to Schedule Caste were appointed as Teachers on 15.07.2009 and the same was indicated to District Employment Officer. The date of registration of said P.M.Subramania was 09.03.2001. Once the cut off date for earlier recruitment was fixed as 09.03.2001, fixing the cut off date as 14.06.2000 for the subsequent recruitment will lacks substance and absolutely reckless,



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thereby, sought for suitable directions.

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6. Heard Mr.Avinash Wadhwani, the learned counsel appearing for the petitioner, Mr.R.Siddharth, the learned counsel appearing for the first respondent and Mr.A.M.Ayyadurai, the learned counsel appearing for the second respondent. Perused the materials placed on records.

7. The learned counsel appearing for the first respondent/recruitment board has submitted that the writ petition has become infructuous on account of orders passed by this Court in ***R.Rajaraman vs. The Additional Chief Secretary to Government and others*** in W.A.No.1736 of 2012 reported in 2012 SCC Online Madras 3173 and the relevant portion of the said order is extracted hereunder:

“13.In our considered opinion, therefore, the principles laid down in the above judgment squarely answer the questions raised in the present case. The learned single Judge was perfectly right in accepting the statement made by the learned Special Government Pleader and the stand taken in the counter affidavit filed on behalf of the Teachers Recruitment Board that only those appear and pass the Teacher Eligibility Test will be eventually selected for appointment to the post of



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Secondary Grade Teachers.

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14. We do not find any ground to interfere with the well considered and well merited order passed by the learned single Judge. The writ appeal is, therefore, dismissed.”

8. The learned counsel appearing for the first respondent would submit that the recruitment of Teachers has been taken up by the first respondent itself and in the process of recruitment of Teachers, the seniority list being maintained by the Employment Exchange is not being considered. Once the recruitment of Teachers has been entrusted to the first respondent/recruitment board and involvement of the Employment Exchange is totally eliminated in the process of recruitment, no orders as sought for by the petitioner cannot be passed.

9. Accordingly, this Writ Petition is dismissed. No costs.

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Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case: Yes/No
dpa/jai



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D.NAGARJUN, J.

dpa/jai

To

- 1.The Chairman,
Teachers Recruitment Board, Madras 6.
- 2.The District Employment Officer,
Erode District.

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