



WEB COPY



W.P.No.30214 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.30214 of 2023
and
W.M.P.No.29819 of 2023

1.L.Wilson

2.A.Sugasini

3.S.Ramya

4.N.Tamilselvi

5.T.Sudhamani

...Petitioners

-Vs-

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

2.National Council for Teacher Education,
G-7, Sector - 10, Dwarka,
New Delhi - 110 075.

3.Teachers Recruitment Board (TRB),
4th Floor, DPI Campus,
College Road, Chennai - 600 006.



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4.The Director of Elementary Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai - 600 006.

5.The Director of School Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai - 600 006.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to call for applications for appointment to the post of Secondary Grade Teacher only from among D.Ed./D.El.Ed., qualified Teachers when making permanent appointments by direct recruitment to the post of Secondary Grade Teacher in the State.

For Petitioners : Mrs.N.Kavitha Rameshwar

For R1, R4 & R5 : Mr.V.Manoharan,
Additional Government Pleader

For R2 : Mr.J.Harikrishna
Additional Standing Counsel

For R3 : Mr.M.Alagu Gowtham,
Government Advocate

ORDER

The prayer in the present writ petition seeking for a direction to the respondents to call for applications only from D.Ed./D.El.Ed., qualified



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Teachers for filling up the post of Secondary Grade Teacher is pre-mature, in the sense that the respondents have not right now issued any notification for the post of Secondary Grade Teacher to which the petitioners have been disqualified. Even otherwise, the cause of action for the present prayer would arise only when a notification is issued for filling up the post of Secondary Grade Teacher and the essential qualification includes Teachers who are not qualified in D.Ed.

2. Moreover, the decision to fill up the post of Secondary Grade Teacher is a policy decision to be taken by the respondents and this Court, exercising its power under Article 226 of the Constitution of India, will not venture to direct them to call for applications with certain conditions.

3. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

18.10.2023

Index:Yes/No
Internet:Yes/No
hvk



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To



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M.S.RAMESH,J.

hvk

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