



WP.No.11080 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:28.08.2024

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.11080 of 2015

and M.P.No.1 of 2015

S.Faffila

...Petitioner

Vs.

- 1.The Director of School Education,
E.V.K.Sampath Maaligai,
D.P.I Campus, College Road,
Nungambakkam,
Chennai- 600 006.
- 2.Teachers Recruitment Board,
Rep. By its Member-Secretary,
E.V.K. Sampath Maaligai,
D.P.I. Campus, College Road,
Nungambakkam, Chennai- 600 006.
- 3.The Director,



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Directorate of Employment & Training,
Guindy,
Chennai- 600 032.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, 1950, praying for issuance of writ of Mandamus, directing the respondents to forthwith include the name of the petitioner in the provisional selection list of candidates for the post of Computer Instructors for the year 2014 and consequently, appoint the petitioner as a Computer Instructor.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.K.H.Ravikumar for R1 & R3 and
Mr.C.Kathiravan for R2

ORDER

This writ petition has been filed seeking a writ of mandamus directing the respondents to forthwith include the petitioner's name in the provisional selection list of candidates for the post of Computer Instructors for the year 2014.

2.The grievance of the petitioner in this writ petition is that the



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petitioner was registered with the Employment Exchange on 09.08.2007 with B.Sc and B.Ed. Computer Science qualification with Registration No.VLD.1993.F.00002263 and the same is pending. While so, the 3rd respondent issued the advertisement No.7/2014 dated 13.10.2014 calling for the list of eligible candidates for direct recruitment for the post of computer instructors in Government Higher Secondary Schools under the control of the 3rd respondent for the year 2014. The said posts are sought to be filled in by following the State Level Employment Seniority and a total 652 vacancies were notified. Out of these, 87 vacancies were earmarked for B.C. General (Non-Priority) and the cut-off date for this category is 17.03.2008. Since the petitioner's employment registration falls within the cut-off date, the petitioner is making a claim for being appointed to said post of Computer Instructor. The petitioner's name was found in the State wise Seniority list and petitioner also participated in certificate verification. However, the original selection list was finalized without including the petitioner's name. Consequently, the petitioner approached this Court by filing the present writ petition, contending that the juniors to the petitioner in the said seniority list were appointed as



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computer Instructors against the vacancies earmarked for B.C. General (Non-priority).

3.In response to the Notice issued by this Court, the 2nd respondent filed an additional counter affidavit contending that the cut off date for the B.C.General category was 12.07.2006 and whereas, the cut off date for the B.C.Women category was 13.07.2006. It was further stated that the petitioner, registered with the Employment Exchange on 09.07.2008 is falling out of the cut-off date and 2nd respondent also stated that none of the juniors to the petitioner were appointed against the posts earmarked for B.C. General and B.C. Women category.

4.There is no dispute about the petitioner's registration date of 09.08.2007. In view of categorical statement made by the 2nd respondent in the additional counter affidavit contending that no person registered with the Employment Exchange after 12.07.2006 and 13.07.2006 as against for the B.C. General and B.C. Women category respectively, was appointed to the post of Computer Instructor pursuant to the



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advertisement in question and also in the absence of any material placed before this Court contradicting the above said statement made in the additional counter affidavit filed by the 2nd respondent, this Court find no merit in this petition.

4. Accordingly, this writ petition stands dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

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vsn

Internet: Yes/No

Index: Yes/No

Speaking/Non-speaking order



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MUMMINENI SUDHEER KUMAR,J.

vsn

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