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W.P.No.1021 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2024

CORAM:

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

W.P.No.1021 of 2024

and

W.M.P.No.1077 of 2024

M.Manjukavi

...Petitioner

-Vs-

1.The State of Tamil Nadu,
Represented by its Principal Secretary to Government,
Higher Education Department,
Fort St.George, Chennai – 600 009.

2.The Commissioner,
Directorate of Technical Education,
No.53, Sardar Patel Road,
Guindy, Chennai – 600 025.

3.Teachers Recruitment Board,
Represented by its Chairman,
4th Floor, Puratchi Thalaivar Dr.MGR
Centenary Building,
DPI Campus, College Road,
Chennai – 600 006.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the third respondent to provisionally select the petitioner for the post of Lecturer in Government



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Polytechnic College in the Department of Information Technology pursuant to Notification No.14/2019 dated 27.11.2019 and directing the second respondent to consider appointing the petitioner as Lecturer in any one of the Government Polytechnic Colleges in the Department of Information Technology.

For Petitioner : Mrs.Nalini Chidambaram
Senior Counsel for
M/s.C.Uma

For R1 and R2 : Dr.T.Seenivasan
Special Government Pleader

For R3 : Mr.R.Neelakandan
Additional Advocate General
assisted by
Mr.R.Siddharth
Government Advocate

ORDER

This writ petition has been filed for direction directing the third respondent to provisionally select the petitioner for the post of Lecturer in Government Polytechnic College in the Department of Information Technology pursuant to Notification No.14/2019 dated 27.11.2019 and directing the second respondent to consider appointing the petitioner as Lecturer in any one of the Government Polytechnic Colleges in the Department of Information Technology.



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

available on record.

3. As per the Notification No.14/2019, dated 27.11.2019, the third respondent called for applications for the post of Lecturer in Government Polytechnic Colleges and Special Institutions (Engineering/Non-Engineering) for the total vacancies notified as 1060. The petitioner applied for the post of Lecturer in the Department of Production Engineering for which the vacancy was notified as 6. The petitioner belongs to MBC Community. The petitioner had appeared for the online computer based examination in the subject Information Technology. The petitioner had secured 129 out of 190 marks. The candidates were shortlisted for certificate verification based on the marks secured by them. During the certificate verification, additional weightage marks for teaching experience and for additional qualifications has been awarded to the shortlisted candidates based on their eligibility. The name of the petitioner was shortlisted for certificate verification as MBC G in the subject Information Technology. It was completed on 17.07.2022. The petitioner was granted three weightage marks and thus, totally she secured 132 marks out of 200. Thereafter, a provisional selection list was published on 22.07.2022.



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4. Four candidates viz., K.S.Sugitha, G.Deepika, C.Siva Kumar and M.Subashini were selected for the post of Lecturer in the Government Polytechnic College in Computer Engineering Department. Thereafter, the third respondent had submitted the provisional selection list including the above mentioned four candidates in both Information Technology and Computer Engineering subjects to the concerned user department. The petitioner sent an E-mail dated 26.07.2022 to the third respondent stating that the petitioner was removed from the Certificate Verification for the subject of Information Technology and the candidates provisionally selected have opted for Computer Engineering. Hence, the petitioner requested to conduct Certificate Verification for Information Technology for the next eligible candidates. The third respondent replied to the petitioner stating that the petitioner's representation is being considered and the reply will be intimated to the petitioner at the earliest. Thereafter, the second respondent by its proceedings dated 28.09.2022 issued appointment orders to provisionally selected candidates for the post of Lecturer in Government Polytechnic Colleges in 15 departments including Information Technology and Computer Engineering. Thereafter, the petitioner filed a petition dated 14.10.2022 in CM Cell stating that at present there are four



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vacancies in the department of Information Technology, since the above mentioned candidates had joined the Department of Computer Engineering. He further requested to consider the candidates who are next in the line of merit and conduct certificate verification and issue appointment orders in the vacant position. Thereafter, on 28.11.2022 the petitioner received a reply from the CM Cell stating that “As soon as the TRB sends the selection list the appointment order will be issued.”

5. The first respondent issued G.O.(2D)No.08, dated 21.02.2023 deleting the names of the six multiple selected candidates from the department to which they did not join, since they had opted to join in one of the two departments. Accordingly, the petitioner, having secured 132 marks out of 200, is eligible to be appointed in the Department of Information Technology. Hence, he submitted a representation.

6. Considering the facts and circumstances of the case, the second respondent is directed to communicate the vacancies if any in the Department of Information Technology at the third respondent. On receipt of the same, if the petitioner is eligible to be appointed in the subject of Information



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Technology, the third respondent is directed to consider and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

18.01.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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To

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G.K.ILANTHIRAIYAN. J,

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