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W.P.No.3049 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.08.2024

CORAM:

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

W.P.No.3049 of 2020 and
WMP.Nos.3565, 3567 & 3569 of 2020

J.Sathiyaraj

... Petitioner

Vs.

1.The State of Tamilnadu,
rep. By its Secretary to Government,
Welfare of Differently Abled Persons (DAP.3.2) Department,
Fort St.George,
Chennai 600 009

2.Teachers Recruitment Board,
Rep. By its Chairman,
4th Floor, EVK Sampath Maaligai,
DPI Campus, College Road,
Chennai 600 006

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a writ of declaration declaring that following communal rotation for posts reserved for persons with bench mark disabilities which are minimal in number as impractical for the post of Lecturer in Mechanical Engineering pursuant to Notification No. 14/2019 dated 27.11.2019 issued by the 2nd Respondent as arbitrary and violative of Article 14 and 16 of the Constitution of India and destructive of the policy of the Central Government set out in the Rights of Persons with



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Disabilities Act 2016 and consequently issue a direction forbearing the 2nd Respondent from following communal rotation for filling up the 9 vacancies reserved for persons with bench mark disabilities for the post of Lecturer in Mechanical Engineering pursuant to Notification No.14/2019 dated 27.11.2019 issued by the second respondent and fill up the 9 posts reserved for persons with Bench Mark Disabilities on merits based on marks secured by the candidates with Bench Mark Disabilities in the written exam to be conducted by the second respondent pursuant to notification No.14/2019 dated 27.11.2019 issued by the second respondent.

For Petitioner : M/s.C.Uma

For Respondents

For R1 : Mr.V.Manoharan,
Additional Government Pleader

For R2 : Mr.C.Kathiravan,
Standing Counsel

ORDER

This writ petition has been filed for declaration declaring that following communal rotation for posts reserved for persons with bench mark disabilities which are minimal in number as impractical for the post of Lecturer in Mechanical Engineering pursuant to Notification No. 14/2019 dated 27.11.2019 issued by the 2nd Respondent as arbitrary



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and violative of Article 14 and 16 of the Constitution of India and destructive of the policy of the Central Government set out in the Rights of Persons with Disabilities Act 2016 and consequently issue a direction forbearing the 2nd Respondent from following communal rotation for filling up the 9 vacancies reserved for persons with bench mark disabilities for the post of Lecturer in Mechanical Engineering pursuant to Notification No.14/2019 dated 27.11.2019 issued by the second respondent and fill up the 9 posts reserved for persons with Bench Mark Disabilities on merits based on marks secured by the candidates with Bench Mark Disabilities in the written exam to be conducted by the second respondent pursuant to notification No.14/2019 dated 27.11.2019 issued by the second respondent.

2. The learned counsel for the petitioner seeks permission of this Court to withdraw the petition and she has also made an endorsement to that effect.



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3. In view of the endorsement made by the learned counsel for the petitioner, this writ petition is dismissed as withdrawn. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

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Neutral citation: Yes/No

Index: Yes/No

Speaking/Non-speaking order

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To

1. Secretary to Government,
The State of Tamilnadu,
Welfare of Differently Abled Persons (DAP.3.2) Department,
Fort St.George,
Chennai 600 009
2. Chairman,
Teachers Recruitment Board,
4th Floor, EVK Sampath Maaligai,
DPI Campus, College Road,
Chennai 600 006



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G.K.ILANTHIRAIYAN, J.

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