



WEB COPY

W.P. No.28735 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-06-2024

CORAM

THE HONOURABLE MRS. JUSTICE R. KALAIMATHI

**W.P. No.28735 of 2011
and M.P. No.1 of 2011**

P. Kavitha

... Petitioner

-VS-

1. The Director,
Employment and Training Department,
Director Office,
Chepauk, Chennai – 5.
2. The District Collector,
District Collector Office,
Nagapattinam District,
Nagapattinam.
3. The District Employment Officer,
Thiruvarur District,
Thiruvarur.
4. The Teachers Recruitment Board,
Rep. By the Chairman,
4th Floor, E.V.K. Sampath Building,
Chennai – 600 006.

... Respondents



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Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of CERTIORARIFIED MANDAMUS, to call for the records on the file of the 3rd respondent to register the name of the petitioner in the Employment Exchange under the priority category of Tamil Savant and to sponsor her name to the 4th respondent to the post of Secondary Grade Teacher.

For Petitioner	:	No representation
For RR 1 to 3	:	Mr. S. Rajesh (Government Advocate)
For R4	:	Mr. C. Kathiravan (Standing Counsel for TRB)

ORDER

There is no representation for the petitioner when the matter was taken up on 28.03.2024 and on 12.06.2024, there was no representation for the petitioner.

2. Mr. S. Rajesh, learned Government Advocate appearing for R1 to R3 is present. Mr. C. Kathiravan, learned Standing Counsel for R4 is present.



3. The petitioner submits that her grandfather Sri. Somasundaram S/o Vairappa Devar was a Tamil Savant (Tamil Mozhi Kaavalar). He died left behind his four daughters namely Rajalakshmi, Raja Udayam, Rajam and Gnanamani and the petitioner is the daughter of Rajalakshmi. She completed the Teachers Training Course in the year 2003 and registered her qualifications in the Employment Exchange.

4. The Tahsildar, Vedaranyam had issued 'Tamil Mozhi Kaavalar' legal heir certificate to her after conducting a detailed enquiry by an Order dated 11.01.2010. The said legal heir certificate was also verified and the report was submitted by the Revenue Officials that the said legal heir certificate is genuine and valid.

5. As the 3rd respondent did not register her name in the Employment Exchange under the 'Tamil Mozhi Kaavalar' under priority category, the petitioner approached this Hon'ble Court in W.P.No.19888/2010 and the same was disposed of, by an order dated 07.09.2010 and the operative portion of which is as follows:



“3. In the light of the pendency of the matter before the District Collector from 31.05.2010, the District Collector is directed to consider the said representation of the petitioner above referred and pass orders, within a period of four weeks from the date of receipt of a copy of this order. If the District Collector, the second respondent is not the competent authority the second respondent is directed to forward the papers to the competent authority to issue Legal Heirship Certificate, as prayed for by the petitioner.

*The writ petition is disposed of with above direction.
No cost.”*

6. In pursuance of the same, the 3rd respondent passed an order rejecting her name in the priority category in the Employment Exchange, hence this writ petition.

7. Mr. S. Rajesh, learned Government Advocate appearing for the 3rd respondent would submit that the Grand sons and Grand daughters of Freedom fighters/ Tamil Savants are not eligible to avail priority concession in nomination as per the instructions issued in SEECM No.6/2010 dated 25.03.2010. He also further submitted that based on the above said instructions, the office of the 3rd respondent (District Employment Officer, Thiruvarur) has rejected the request made by the petitioner in her petition dated 21.01.2010, vide his letter No.A3/415/2010 dated 01.06.2010.



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8. Therefore, it is made clear that the priority concession can be availed only by the children of Freedom fighters/ Tamil Savants and the Grand children are not eligible to avail the priority concession in nomination as per the instruction issued in SEECM No.6/2010 dated 25.03.2010. It is also the fact that the petitioner herein is the grand daughter of Sri. Somasundaram, who was a Tamil Savant (Tamil Mozhi Kaavalar).

9. Based on the above said observations, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions, if any stand closed.

19-06-

2024

Index : Yes/No

Internet: Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

stn



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R. KALAIMATHI, J.

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To

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