



W.A.No.1107 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2024

CORAM:

THE HON'BLE Mr. JUSTICE R. MAHADEVAN
AND
THE HON'BLE Mr. JUSTICE MOHAMMED SHAFFIQ

W.A.No.1107 of 2024
AND
C.M.P.No.7956 of 2024

1. T.Jothimalar
2. Ribana Begam
3. R.Pradeepa
4. A.Sumathi
5. T.Nandhini
6. G.Tamizharasi
7. A.Jayamani

.. Appellants

Vs.

1. The State of Tamil Nadu
Represented by its Secretary to Government
School Education Department
Fort St.George, Chennai – 600 009
2. The Director of School Education
DPI Campus, College Road
Chennai – 600 006
3. Teachers Recruitment Board (TRB)
Represented by its Member Secretary
4th floor, DPI Campus
College Road, Chennai – 600 006



W.A.No.1107 of 2024

Grade teachers in Thalavadi Block in Erode District and appoint them accordingly, in order to test the correctness or otherwise of the order impugned herein, it becomes imperative to advert to the bare minimum facts.

2.1 According to the appellants, they had completed D.T.Ed. course and T.E.T. course during 2013 – 2017; while so, though they were called for certificate verification during 2014 and 2017 for selection and appointment for the post of Secondary Grade teachers, even without there being any notification issued in this regard, in pursuance whereof, while some others were appointed, the appellants were not selected and appointed to the said post.

2.2 The appellants' case is that though they have been waiting for nearly a decade, they have not been appointed as Secondary Grade teachers and they have been working in the said post only on temporary basis from 2022 in Thalavadi Block, notwithstanding the fact that the said place can be reached only *via* Sathyamangalam, which is a tiger reserve forest area and hence, they deserve to be appointed on the basis of their representations dated 07.11.2023/08.11.2023.



W.A.No.1107 of 2024

2.3 With the aforesaid background, they filed the instant writ petition being W.P. No.4970 of 2024 seeking a direction, as stated in paragraph 2, *supra*.

2.4 When the aforesaid writ petition was taken up for hearing, the learned Additional Advocate General who represented the Teachers Recruitment Board, submitted that since the appellants had applied for the said post pursuant to a notification dated 09.02.2024 and had also subjected themselves to certificate verification process, they will be appointed if they are selected and hence, their request for appointment cannot be acceded to.

2.5 In a riposte, it was submitted before the learned Judge by the learned counsel for the appellants that after the selection process, if none is willing to join in the schools in and around Thalavadi Taluk, in which, the appellants are working, the appellants may be directed to be considered for the post in question.

2.6 The learned Judge, after hearing the submissions made on either side, without expressing any opinion on the merits of the writ petition, directed the respondents to consider the appellants' representations and pass orders on



W.A.No.1107 of 2024

merits and in accordance with law within a period of twelve weeks. The said order, as stated in the opening paragraph, is put to challenge in this writ appeal.

3 Heard the learned counsel for the appellants, the learned Additional Advocate General for the third respondent and the learned Special Government Pleader for the remaining respondents.

4 The sheet anchor submission of the learned counsel for the appellants is that learned Judge could have directed the respondents to appoint the appellants, considering the factum that the appellants have been working from 2022 on temporary basis in the schools in and around Thalavadi Taluk risking their lives, owing to the fact that they have to reach Thalavadi Taluk only through Sathyamangalam, which is a tiger reserve forest area.

5 We are afraid, the learned Judge cannot be found fault with for not having granted a positive direction as sought by the appellants, and instead, granting a direction to the respondents to consider the case of the appellants and pass appropriate orders in accordance with law. It is the respondents by whom the appellants' representations will have to be considered and orders to be passed, and thus, when the consideration of the appellants' representations is



W.A.No.1107 of 2024

purely within the domain of the respondents, the learned Judge cannot straightaway issue a direction to appoint them as Secondary Grade teachers.

6 In such perspective of the matter, we have no hesitation in holding that the direction given by the learned Judge would meet the ends of justice and accordingly, we find no ground to interfere with the order impugned herein.

7 As a sequitur, this writ appeal fails and is accordingly dismissed, sans costs. Connected C.M.P. is closed.

[R.M.D, J.] [M.S.Q, J.]
04.04.2024

Neutral Citation : Yes/No
gya/cad

To

The Secretary to Government
Government of Tamil Nadu
School Education Department
Fort St.George, Chennai – 600 009

2. The Director of School Education
DPI Campus, College Road
Chennai – 600 006

3. The Member Secretary
Teachers Recruitment Board (TRB)
4th floor, DPI Campus
College Road
Chennai – 600 006



W.A.No.1107 of 2024

WEB COPY

4. The Chief Educational Officer
Erode District
5. The District Educational Officer
Sathiyamangalam Educational District
Erode District
6. The Block Educational Officer
Thalavadi Block
Sathiyamangalam Educational District
Erode District



WEB COPY



W.A.No.1107 of 2024

R. MAHADEVAN, J.
AND
MOHAMMED SHAFFIQ, J.

gya

W.A.No.1107 of 2024

04.04.2024