



W.P.No.14616 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.06.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.14616 of 2024

P.Geetha

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Petitioner

Vs.

1. The State of Tamil Nadu  
Rep. by its Principal Secretary to Government  
School Education Department  
Fort St. George, Chennai – 600 009.
2. National Council for Teachers Education  
Rep. by its Member Secretary  
G-7, Sector – 10, Dwarka  
New Delhi – 110 075.
3. Teachers Recruitment Board  
Rep. by its Secretary  
3<sup>rd</sup> and 4<sup>th</sup> Floor, Puratchi Thalaivar  
Dr. MGR Centenary Building  
Perasiriyar Anbazhagan Kalvi Valagam  
College Road, Nungambakkam  
Chennai – 600 006.
4. Director of School Education  
Directorate of School Education  
DPI Complex, College Road  
Chennai – 600 006.

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Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus, directing the second respondent to call the petitioner for certificate verification for the post of BT Assistant in Social Science (Geography) pursuant to Notification No.03/2023 dated 25.10.2023 by following the principles of natural justice to explain the bonafide mistake committed by the petitioner in the application for appearing in the competitive examination conducted by the 2<sup>nd</sup> respondent pursuant to G.O.Ms.No.149, School Education (TRB) Department dated 20.07.2018 in the community column and prove that she belongs to Backward Community and consequently based on the 72 marks secured by the petitioner in the TNTET – Paper II and direct the second and third respondents to select and appoint the petitioner for the post of BT Assistant in Social Science (Geography) under the BC category in any one of the Government Middle or High Schools.

For the Petitioner : Mrs.C.Uma

For the Respondents : Mrs.S.Mythreye Chandru  
Special Government Pleader  
for R1 and R4

Mr.R.Siddharth  
Government Advocate  
for R3



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ORDER

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When the matter came up for admission today, both side learned counsel are at *idem* that the prayer in the present writ petition is covered by the earlier judgment of this Court in W.P.No.161 of 2024 dated 08.01.2024.

2. The operative portion of the said order, which is contained in paragraphs 15 and 16, are extracted hereunder:

*"15. In the case of Dr. Gurubaran and others Vs. Union of India and Ors. Reported in 2023 SCC OnLine Mad 5399, the Hon'ble Division Bench of this Court held that the Courts would be extremely slow in interfering with the policy decision, that too, concerning the academic and education filed, unless it is shown that the policy decision is against the Statutes or is manifestly arbitrary. Therefore, this Court restructuring the cadres prescribing qualification are matters that fall in the employers' domain and the scope of Judicial Review would be in a narrow campus. Hence, this Court can exercise its power of Judicial Review only if the State action is contrary to the*



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*Constitutional or statutory provisions or is vitiated by malafides or is arbitrary. As discussed above, this Court finds no malafide or arbitrariness in passing of G.O.Ms.No.149, dated 20.07.2018.*

*16. In view of the above, this Court is of the opinion that this writ petition lacks merits and it is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected miscellaneous petitions are closed. No costs."*

3. In view thereof, the present writ petition also stands dismissed. There shall be no order as to costs. Consequently, W.M.P.Nos.15890, 15892 and 15894 of 2024 are closed.

05.06.2024

Index : Yes/No

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D.BHARATHA CHAKRAVARTHY,J.

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