



W.P.No.15391 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2024

CORAM:

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

W.P.No.15391 of 2024
and W.M.P.Nos.16729, 16730 and 16733 of 2024

P.Kavinilavu

... Petitioner

-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 Complex,
College Road, Chennai -600 006.
3. The Chief Educational Officer,
O/o. The Chief Educational Office,
Collectorate, Salem.
4. The Headmaster,
Government Boys Higher Secondary School,
Vanavasi, Salem District.
5. S.Sasikumar,
6. S.Ramya,
Respondents
- 7.

...



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Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the Impugned order passed by the second Respondent vide his impugned proceedings in Na.Ka.No. 48800/C3/E1 dated 30.05.2024 and quash the same as illegal in so far as fixation of seniority among the candidates joined on the same date on the basis of age is concerned and consequently to direct the second Respondent to consider the petitioner as senior taking into consideration of the rank of the petitioner as assigned by the Teachers Recruitment Board, within the period that maybe stipulated by this Hon'ble Court.

For Petitioner	: Mr.I.Calvin Jones
For R1 to R4	: Mrs.S.Mythreye Chandru Special Government Pleader
For R5	: Notice served, No appearance

ORDER

This writ petition has been filed challenging the order passed by the second respondent dated 30.05.2024, thereby ordered to deploy surplus teachers in accordance with their seniority and also issued guidelines to fix their seniority.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 4 and perused the materials available on record. Though notice served on the 5th



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respondent and the name has been printed in the cause list, today, no one appeared before this Court in person or through pleader.

3. The petitioner was initially appointed as BT Assistant through TRB, on 17.12.2012 in the fourth respondent School. As per the guidelines issued by the second respondent for the purpose of seniority, the date on which the candidate joined in the concerned School will be followed and the date falls on the same date, the date of birth is the criteria. She had joined in the fourth respondent School and she is the junior most. According to the petitioner, as per the merit list, she is the senior most among other teachers.

4. A perusal of the impugned order in this writ petition revealed that deployment seniority is to be fixed in accordance with their date of joining in the School. As per the date of joining in the duty, the petitioner is the junior most. Therefore, the petitioner was deployed and the petitioner had also joined in other school on 19.06.2024.



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5. Therefore, this Court finds no infirmity or illegality in the order passed by the second respondent and the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected Miscellaneous petitions are closed.

No costs.

25.07.2024

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order
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G.K.ILANTHIRAIYAN. J,



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