



WEB COPY



Cont.P.No.1885 of 2024 & W.P.No.8277 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2024

CORAM

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

Cont.P.No.1885 of 2024

and

W.P.No.8277 of 2024

and

W.M.P.No.9230 of 2024

Cont.P.No.1885 of 2024

P.Mohanarasu

Vs

.... Petitioner

1. M.Gopidas,
Joint Director of School Education,
(Higher Secondary Education),
Directorate of School Education,
DPI Campus,
College Road,
Chennai-600 006.

2. Dr.C.Usharani,
Member Secretary,
The Teachers Recruitment Board,
Perasiriyar Anbalagan Complex,
DPI Campus,
College Road,
Chennai-600 006.

.... Respondents

Prayer:- Contempt petition has been filed under Section 11 of the Contempt of Courts Act, 1971, praying to punish the respondents for wilful disobedience of order dated 25.03.2024 passed by this Court in W.M.P. No.9230 of 2024 in W.P. No.8277 of 2024.



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Cont.P.No.1885 of 2024 & W.P.No.8277 of 2024

(In both W.P. and Cont.P)

For Petitioner : Mrs.Nalini Chidambaram
Senior Counsel
for Mrs.C.Uma
For R1 : Mrs.S.Mythreye Chandru
Special Government Pleader
For R2 : Mr.R.Neelakanden
Additional Advocate General
Assisted by
Mr.C.Kathiravan
Standing Counsel

COMMON ORDER

This Writ Petition has been filed challenging the order passed by the first respondent dated 15.03.2024, thereby cancelling the order of appointment to the post of PG Assistant.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner is qualified with an M.Sc., in Physics. She is also qualified with B.Ed. While being so, the second respondent issued Advertisement No.01 of 2021, dated 09.09.2021, thereby inviting applications from eligible candidates for direct recruitment to the post of PG Assistants, among other posts, in school education and other



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departments for the year 2020-2021. The petitioner is qualified for the post of PG Assistant in Physics and applied for the same. The petitioner belongs to the MBC (V) communal category and secured 99 marks in the written examination. Accordingly, the petitioner was selected and issued appointment order on temporary basis as PG Assistant in the Physics Department on 05.03.2024. After her appointment, the joining report was also duly communicated to the first respondent. While being so, the first respondent passed an order dated 15.03.2024, thereby cancelling the appointment of the petitioner as PG Assistant.

4. A perusal of the counter filed by the first respondent and the submissions made by the learned Additional Advocate General reveals that the petitioner was selected and appointed to the post of PG Assistant in the Department of Physics. Admittedly, while scrutinizing the records by the second respondent, it was identified that the candidate named M.Preetha should have been selected instead of the petitioner in the MBC category based on seniority by date of birth, since both candidates obtained same marks in the competitive examination. The petitioner's date of birth is 07.07.1988, whereas M.Preetha's date of birth is 03.06.1988. Therefore, the second respondent cancelled the temporary



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selection of the petitioner and selected the senior candidate M.Preetha to the post of PG Assistant. Due to inadvertence, the petitioner was erroneously issued an appointment order as if she had been selected for the post of PG Assistant.

5. In view of the above, this Court finds no infirmity or illegality in the order impugned in this writ petition. Hence, the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.

6. In the light of the dismissal of the main writ petition, the contempt petition is closed.

25.09.2024

Index : Yes/No
Speaking/Non Speaking order
Neutral Citation : Yes/No

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To



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G.K.ILANTHIRAIYAN, J.

Lpp

1. The Joint Director of School Education,
(Higher Secondary Education),
Directorate of School Education,
DPI Campus,
College Road,
Chennai-600 006.

2. The Teachers Recruitment Board,
Rep. by its Member Secretary,
Perasiriyar Anbalagan Complex,
DPI Campus,
College Road,
Chennai-600 006.

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