



Writ Petition Nos.23415, 23418 & 24236 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition Nos. 23415, 23418 & 24236 of 2024

Kanagavalli
W/o.K.Alagesan ... Petitioner in W.P.No.23415 of 2024

S.Premalatha
W/o.Suresh Kumar ... Petitioner in W.P.No.23418 of 2024

P.Subathradevi
W/o.Elangovan ... Petitioner in W.P.No.24236 of 2024

Vs.

1.The State of Tamil Nadu,
represented by its
Principal Secretary to Government,
School Education Department,
Fort St.George, Chennai - 600 009.

2.The Commissioner of School Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai - 600 006.

3.The Joint Director of School Education
(Personnel),
DPI Campus, College Road,
Chennai - 600 006.



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4.The Director of School Education,
Directorate of School Education,
DPI Campus, College Road,
Chennai - 600 006.

5.Teachers Recruitment Board (TRB),
represented by its Member Secretary,
4th Floor, DPI Campus,
College Road, Chennai - 600 006. ... Respondents in all W.Ps.

Writ Petitions filed under Article 226 of the Constitution of India seeking issuance of a Writ of Declaration to declare that the petitioner is entitled to be appointed as B.T.Assistant on the basis of TET marks and TET passed year seniority, without resorting to any competitive examination as enumerated in G.O.Ms.No.149, dated 20.07.2018.

For Petitioners : Mr.W.Camyles Gandhi
[in all W.Ps.]
For Respondents : Mrs.P.Rajarajeshwari,
[in all W.Ps.] Government Advocate

COMMON ORDER

All these writ petitions have been filed to declare that the petitioners are entitled for appointment as B.T.Assistant on the basis of TET marks without resorting to any competitive examination as provided in G.O.Ms.No.149, dated 20.07.2018.



2. Heard Mr.W.Camyles Gandhi, learned counsel for petitioners and Mrs.P.Rajarajeshwari, learned Government Advocate appearing for respondents.

3. In the considered view of this Court, the grievance of the petitioners seems to be that their candidature is not being considered during earlier selection on the ground that they did not participate in the competitive examination as specified in G.O.Ms.No.149, dated 20.07.2018. According to petitioners, they are entitled for appointment as B.T.Assistant on the basis of TET marks secured by them and once they have passed TET, it is not necessary for them to go through the competitive examination.

4. In the considered view of this Court, the petitioners have approached this Court without a cause of action. It is only a regular civil Court, which can grant a decree for declaration on such relief being sought for. There must be some cause of action to approach a writ Court, which must have given rise to a grievance and only then, writs can be issued by this Court. A relief cannot be given in the air without their being any cause of action to be used at some point of time in future as



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and when occasion arises. That is not the manner in which writs are issued by the constitutional Courts.

5. In view of the above, the relief as sought for by the petitioners cannot be granted. As and when cause of action arises for the petitioners, they can always approach this Court and seek for appropriate remedy. Therefore, the closure of these writ petitions does not foreclose the remedy available to the petitioners as and when a cause of action arises.

In view of the above, these Writ Petitions are closed. No costs.

16.08.2024

Neutral Citation: Yes/No
Index: yes/no
Speaking Order/Non-Speaking Order
gm

To

1.The Principal Secretary to Government,
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4th Floor, DPI Campus,
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N.ANAND VENKATESH, J

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