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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.10.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.32557 of 2023

S.Sudha

..Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. By its Principal Secretary to Government,
School Education Department,
Fort St. George, Secretariat,
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 of Education (Personnel),
DPI Campus, College Road, Chennai 600 006.
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, EVK Sampth Maligai,
College Road, Chennai 600006

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration to declare that the petitioner herein is entitled to be appointed as Teacher(Secondary Grade/B.T. Assistant as the case may be) on the basis of TET marks and TET-passed year Seniority, with appropriate age relaxation, having completed certificate verification before 20.07.2018, i.e. the date of passing of GO Ms No. 149, School Education(TRB) Department dated 20.07.2018, without resorting to any competitive examination as stated in GO. Ms. No. 149, dated 20.07.2018, as a measure of equity and fairness, as well as on the foundation of the doctrine of promissory estoppel and legitimate expectation

For Petitioner : Mr.J.Bharathi Raja

For Respondents : Mrs.S.Mythreye Chandru
Special Government Pleader
for R1 to R4
MR.R.Neelakandan,
Additional Advocate General
Assisted by
Mr.C.Kathiravan,
Standing counsel for R5

ORDER

This writ petition has been filed for issue of writ of Declaration to



declare that the petitioner herein is entitled to be appointed as Teacher(Secondary Grade/B.T. Assistant as the case may be) on the basis of TET marks and TET-passed year Seniority, with appropriate age relaxation, having completed certificate verification before 20.07.2018, i.e. the date of passing of GO Ms No. 149, School Education(TRB) Department dated 20.07.2018, without resorting to any competitive examination as stated in GO. Ms. No. 149, dated 20.07.2018.

2. The issue involved in the present writ petition was considered by this Court in WP Nos.5137 and 32446 of 2023, which was dismissed on 12.09.2024.

3. The learned Additional Advocate General appearing on behalf of Teachers Recruitment Board also brought to the notice of this Court the order passed in WP No.25819 of 2024 dated 05.09.2024. The relevant portion is extracted hereunder :-

5. The Division Bench of this Court in the order dated



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10.07.2024 passed in W.P.No.26084 of 2024 had clearly held that the relief claimed in those writ petitions is restricted to the petitioners therein alone and it was also made clear that citing this judgment, fence-sitters will not be entitled to similar relief by filing fresh writ petitions. In view of the above, the prayer sought by the present Writ Petitioner cannot be granted, as the same would amount to reviewing the earlier order passed by the Division Bench of this Court.

4. In view of the above, the relief as sought for by the petitioner cannot be granted by this Court and accordingly, this writ petition stands dismissed. No costs.

23.10.2024

Internet : Yes/No
Index : Yes/No
Speaking Order / Non Speaking Order
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To

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N. ANAND VENKATESH, J.

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WP No.32557 of 2023

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