



W.P.(MD).No.18527 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.18527 of 2024

M.R.Hemalatha

...Petitioner

Vs

1.The Teachers Recruitment Board,
Represented by its Chairman,
3rd Floor, Puratchi Thalaivar,
Dr.MGR Centenary Building,
DPI Campus,
College Road,
Chennai – 600 006.

2.The Director of School Education,
DPI Campus, College Road,
Chennai – 600 006.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus, directing the respondents to promote and appoint the petitioner as P.G.Assistant (Tamil) reserved for the qualified in service Secondary Grade Teachers as per the TRB's Notification No.10/2019 dated 12.06.2019 and G.O.(Ms)No.110, School Education SE2(1) Department, dated 26.05.2017.



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For Petitioner : Mr.T.Cibichakraborty

For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

Heard Mr.T.Cibichakraborty, learned counsel for the petitioner and Mr.M.Siddharthan, learned Additional Government Pleader for the respondents.

2. This Writ Petition has been filed for issuance of Writ of Mandamus, seeking direction against the respondents to promote and appoint the petitioner as P.G.Assistant (Tamil) reserved for the qualified in service Secondary Grade Teachers as per the TRB's Notification No. 10/2019 dated 12.06.2019 and G.O.(Ms)No.110, School Education SE2(1) Department, dated 26.05.2017.

3. Mr.T.Cibichakraborty, learned counsel for the petitioner submitted that the petitioner was working as Secondary Grade Teacher in the Government (G) Higher Secondary School, Pavoorchathiram. The Teachers Recruitment Board invited application for the direct



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recruitment to the post of Post Graduate Assistants / Physical Education

Directors Grade-I vide Notification No.10/2019 dated 12.06.2019. The

petitioner had also participated in the examination and scored 78 marks.

The rule of reservation being followed by the TRB, where 10% of reservation was allotted to the in-service Secondary Grade Teachers as per G.O.(Ms)No.110 School Education SE2(1) Department, dated 26.05.2017.

4. It is further submitted that when the proposal for No Objection Certificate of the petitioner was sent to the Chief Education Officer regarding promotion to the post of P.G.Assistant as per the notification, the same was returned stating that, prior permission obtained from the department to participate in the examination was not enclosed. In fact, the petitioner sought for prior permission from the educational authorities through proper channel before participating in the examination. But, she came to know that her application was not considered by the educational authorities. Under such circumstances, the petitioner had given representations on 21.06.2021 and 06.12.2021. But, the same was not considered so far. Once again, the petitioner had given



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a representation on 15.06.2024 requesting the educational authorities to promote her as P.G.Assistant based on her qualification. Since no action was taken, the present petition is filed.

5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with direction to consider the representation of the petitioner within a specified time frame.

6. In the light of the above observations, this Writ Petition is **disposed of** with a direction to the respondents to consider the petitioner's representation dated 15.06.2024 on its own merits and pass



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appropriate orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim of the petitioner and that it is open to the respondents to consider the same on its own merits. No costs.

02.08.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

- 1.The Chairman,
The Teachers Recruitment Board,
3rd Floor, Puratchi Thalaivar,
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DPI Campus,
College Road,
Chennai – 600 006.
- 2.The Director of School Education,
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R.N.MANJULA, J.

Nsr

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