



W.P.No.2970 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 31.01.2025

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

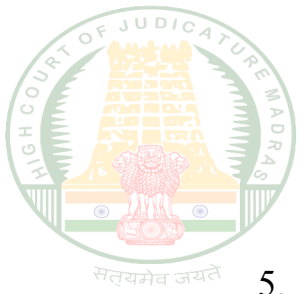
W.P.No.2970 of 2025
and
WMP.No.3254 of 2025

K.Sivakumar

... Petitioner

Vs.

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



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5. Teachers Recruitment Board,
rep., by its member Secretary,
4th Floor, DPI Campus,
College Road, Chennai-600 006.

... Respondents

Prayer: This Writ petition has been filed under Article 226 of the Constitution of India, praying to issue Writ of Declaration to declare that the petitioner herein is entitled to be appointed as teachers (Secondary Grade/B.T. Assistant as the case may be) on the basis of TET marks and TET-passes year seniority having completed certificate verification before 20.07.2018 i.e., the date of passing of G.O.(MS.) NO.149 School Education (TRB) Department dated 20.07.2018 without resorting to any competitive examination as stated in G.O.(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 Petitioners	:	Mr.D.S.Ramesh
For R1 & R4	:	Mrs.S.Mythreye Chandru Special Government Pleader
For R5	:	Mr.C.Kathiravan Standing Counsel (TRB)



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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 teachers (Secondary Grade/B.T. Assistant as the case may be) on the basis of TET marks and TET-passes year seniority having completed certificate verification before 20.07.2018 i.e., the date of passing of G.O.(MS.) NO.149 School Education (TRB) Department dated 20.07.2018 without resorting to any competitive examination as stated in G.O.(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.

2. The issue involved in the present Writ Petition was considered by this Court in W.P.No.5137 and 32446 of 2023, which was dismissed on 12.09.2024.

3. Mr. C.Kathiravan, learned counsel appearing for the Teachers Recruitment Board, has brought to the notice of this Court the order passed in W.P.No.25819 of 2024 dated 05.09.2024. The relevant portion



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is extracted hereunder:-

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“5. The Division Bench of this Court in the order dated 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 the 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 of 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. Consequently, connected miscellaneous petition is closed.

31.01.2025

gbi

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No



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V.BHAVANI SUBBAROYAN, J.

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