



W.P.No.5713 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.5713 of 2018 and
W.M.P.No.7060 of 2018

R.Maheswari

... Petitioner

Vs.

1.The Chief Educational Officer,
Cuddalore District.

2.The District Educational Officer,
Virudachalam, Cuddalore District.

3.The Head Master,
Government Boys Higher Secondary School,
Virudachalam, Cuddalore District.

4.K.Rekha

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records of the first respondent pertains to the impugned order bearing Na.Ka.No.4302/A2/2017 dated 22.02.2018 and quash the same as arbitrary and illegal.



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For Petitioner : Mr.P.R.Thiruneelakandan

For Respondents : Mrs.P.Rajarajeswari, GA

ORDER

This Writ Petition has been filed to call for the records of the first respondent pertains to the impugned order bearing Na.Ka.No.4302/A2/2017 dated 22.02.2018 and quash the same as arbitrary and illegal.

2. Heard Mr.P.R.Thiruneelakandan, learned counsel for the petitioner, Mrs.P.Rajarajeswari, learned Government Advocate for the respondents and perused the materials available on record.

3. The petitioner has been appointed as B.T.Assistant (English) by the Teachers Recruitment Board on the basis of the Teacher Eligibility Test. In the said examination, the petitioner has secured 102 marks and the fourth respondent has secured 100 marks. Based on the marks, the petitioner was given with S.No.481. The fourth respondent was assigned



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with S.No.1266. Earlier, the Teacher Recruitment Board used to assign rank to the candidates based on the marks obtained in the recruitment exam and the seniority would also be fixed on the basis of the rank. After Teacher Eligibility Test was introduced in 2003, TRB did not assign rank number. On the other hand, the serial number assigned based on the marks secured by the candidates in the TET examination was considered as the rank and that is the basis for fixing the seniority of the candidates also.

4. The learned counsel for the petitioner submitted that though the petitioner had secured more marks than the fourth respondent, on the basis of the Writ Petition filed and a direction obtained by the fourth respondent in W.P.No.32877 of 2017, her name has been registered in the attendance register above the petitioner. As per the date of birth, the fourth respondent is senior to the petitioner. Since the change has been done without the knowledge of the petitioner and that has an impact on the seniority of the petitioner, the petitioner is before this Court.



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5. The learned counsel for the petitioner further submitted that the ranks of the petitioner and the fourth respondent have not been fixed as per their marks obtained in TET. Both the petitioner and the fourth respondent joined on one and the same day and the fourth respondent is senior to the petitioner in accordance with the date of birth. In the attendance register, the fourth respondent's name has been written above the petitioner's name.

6. Even according to the counter of the first respondent, the petitioner's serial number as per TET is 481 and the fourth respondent's serial number is 1266. It is submitted that the serial number is equivalent to the rank obtained by the candidates in the TET examination and that alone will not be taken into consideration for fixing seniority as well.

7. The petitioner and the fourth respondent has been recruited as early as in the year 2012. It is surprising to know that their seniority has not been fixed based on the merits and other parameters considered for fixing the seniority. As per the information obtained by the petitioner



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through Right to Information Act, he was given to understand that TET has not fixed any rank so far for those candidate who have been selected in the recruitment for the year 2012.

8. It is further stated that even for the earlier recruitment done for the years 2003-04, 2004-05 and 2005-06 serial number itself has been considered as rank number. As TRB conducts TET examination for teacher's recruitment, it could be true that the results are published along with candidates' marks secured in the examination in a list. In the list, the serial numbers could have been on the basis of the marks obtained by them. But it is not known even from the respondent's reply whether the serial number assigned to the petitioner and the fourth respondent represents their rank in the recruitment.

9. The fourth respondent has filed a Writ Petition in W.P.No.32877 of 2017. In the said Writ Petition, a direction has been given to consider her representation without making any positive observation as to her entitlement of rank over and above the petitioner. In fact, the petitioner is not a party to the said Writ Petition. So, in these circumstances, I feel the



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petitioner need not apprehend that her marks will not be considered for fixing the seniority when the first respondent release the seniority list of the candidates recruited in the year 2012.

10. As per the information furnished by the TRB, the fourth respondent's name has been written above the petitioner's name in the attendance register just by giving consideration to her date of birth and not anything else. As the rank list and the seniority list for the recruitment year 2012 has not been released so far, I feel this Writ Petition challenging the imaginary seniority is a pre-matured one. In case the seniority / rank list is released at any future point of time and if the petitioner is aggrieved, then, it is open to her to challenge the same by making due reference or by initiating due proceedings.

11. With these observations, this Writ Petition is disposed. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes
Speaking

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Neutral Citation : Yes

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To

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R.N.MANJULA, J.

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