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W.A.No.754 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.06.2025

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

W.A.No.754 of 2022

M.Rajarajeswari

... Appellant

Vs.

The Chairman,
Teachers' Recruitment Board,
Government of Tamil Nadu,
EVK Sampath Maligai,
DPI Compound, College Road,
Chennai-600 006.

... Respondent

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent
against the order dated 07.01.2022 made in W.P.No.4608 of 2011.

For Appellant : M/s.L.Chandrakumar

For Respondents : Mr.R.Neelakandan,
Additional Advocate General
assisted by Mr.C.Kathiravan



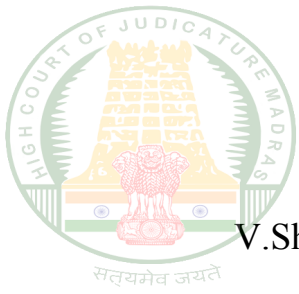
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JUDGMENT

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This Writ Appeal is filed challenging the order of the Writ Court dated 07.01.2022 made in W.P.No.4608 of 2011.

2. The writ petitioner is the appellant herein. She filed the aforesaid writ petition for rejection of his candidature for selection to the post of Assistant Professor. According to the appellant, the respondent had committed grave violation with regard to allotment of vacancy earmarked for the respective category, though not in other discipline, at least in business administration as because the vacancies in the General Turn, which are to be filled up purely on merit basis have been adjusted or rather accommodated by persons belonging to Backward Class (Women), therefore aspiring merit candidate in the General Turn are deprived of the opportunities and thereby, there is a flagrant error committed by the respondent in the consideration of candidates. It is further contended that similar candidates with same marks as that of the appellant, on account of their seniority in date of birth, namely



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V.Shenbagapriya and Dr.S.Sheela Rani got selected, thereby the reasoning that the appellant was not qualified on the face of record is erroneous and prays for interference.

3. Heard the learned counsel for the parties and perused the materials available on record.

4. It is trite law that when candidates secure the same marks in the selection process, their selection and seniority will be determined based on their date of birth i.e., the candidate, who is senior in age will be considered first. In the case on hand, the two candidates, namely V.Shenbagapriya and Dr.S.Sheela Rani, though they had also secured the same 28 marks as the appellant, they were selected only on the ground that they were senior in date of birth than the appellant. Therefore, the allegation of the appellant that he has been deprived of his opportunities of being a deserving merit candidate, cannot be countenanced. Further the appellant has not challenged the provisional list of selected candidates published by the respondent Board by impleading them as



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necessary parties to the litigation. The learned Single Judge had considered all these aspects in proper perspective and rightly dismissed the writ petition, which in the considered opinion of this Court does not warrant any interference and this Writ Appeal deserves dismissal.

5. Accordingly, this Writ Appeal stands dismissed. No costs.

[J.N.B., J.] [M.J.R., J.]
26.06.2025

ASI

To

The Chairman,
Teachers' Recruitment Board,
Government of Tamil Nadu,
EVK Sampath Maligai,
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J. NISHA BANU, J.
AND
M. JOTHIRAMAN, J.

ASI

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