



W.P.No.10096 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2025

CORAM:

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

W.P.No.10096 of 2023

and

W.M.P.No.10159 of 2023

J. Madhumalar

.. Petitioner

Versus

1. The Government of Tamil Nadu
Rep by its Principal Secretary,
School Education Department,
Fort St.George, Secretariat,
Chennai – 600 009.

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

3. The Secretary,
The Teachers Recruitment Board,
DPI Campus, College Road,
Chennai – 600 006 .

...Respondents

Prayer: This petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of Notification No.1E/2022 dated 17.09.2022, Amendment to



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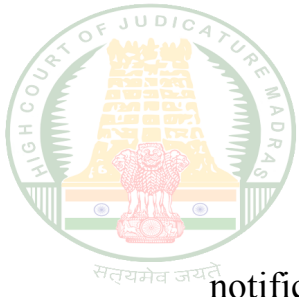
Notification No.01/2021 & 01D/2022, dated 09.09.2021 & 27.08.2022 and quash the same and consequently direct the 3rd respondent to appoint the petitioner as per Notification No.1/2021 dated 09.09.2021 vacancy list in the Political Science subject and to pass orders.

For Petitioner : Mr.K. Manimaran
For Respondents 1 and 2 : Mr. S.Prabhakaran,GA
For Respondent -3 : Mr.R.Siddharth, STC

ORDER

This writ petition is filed seeking to issue a Writ of Certiorarified Mandamus calling for the records of Notification No.1E/2022 dated 17.09.2022, Amendment to Notification No.01/2021 & 01D/2022, dated 09.09.2021 & 27.08.2022 and quash the same and consequently direct the 3rd respondent to appoint the petitioner as per Notification No.1/2021 dated 09.09.2021 vacancy list in the Political Science subject and to pass orders.

2.The facts of the case is that the petitioner who is a Political Science graduate has been selected for the post of Post Graduate Assistant. TRB vide its advertisement No.01/2021 had given a

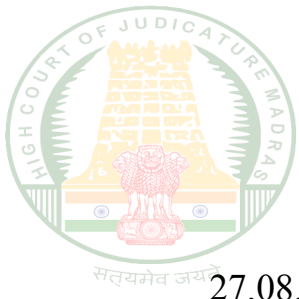


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notification dated 09.09.2021 inviting application for direct recruitment and amended the said notification vide notification No.1C/2022 dated 03.08.2022 and further amended vide notification dated 27.08.2022. On the same day of notification, the list of eligible candidates was published by the TRB and called for certificate verification and he also attended on 02.09.2022. However, he has not been selected due to the Notification No.1E/2022 dated 19.07.2022, Amendment to Notification No.01/2021 & 01D/2022, dated 09.09.2021 & 27.08.2022 respectively issued by the TRB, wherein, it was stated that the recruitment is for only 3 posts, out of 22 posting, (removing 5 backlog vacancies and all 14 current vacancies) in the political science subject. Aggrieved over the same the petitioner has come up with this petition.

3.The learned counsel for the petitioner submitted that the Teachers Recruitment Board has issued a notification on 27.08.2022 wherein, an amendment was made to the earlier notification dated 09.09.2021 and thereby the vacancy was enhanced from 2207 to 3237 posts (269 backlog and 1968 current vacancy). Thereafter, on



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27.08.2022 two notifications was issued wherein the previous notification dated 09.09.2021 was amended. However, the number of vacancy remains the same without any change with regard to political science subject, due to which the petitioner was called for certificate verification and he also attended on 02.09.2022. After attending the certificate verification TRB has issued another notification on 17.09.2022 in Notification No.1E/2022 Amendment to Notification No.01/2021 & 01D/2022, dated 09.09.2021 & 27.08.2022, due to which the petitioner has not been selected for the post of Post Graduate Assistant. The learned counsel for the petitioner further contends that any modification in selection and vacancy should be intimated well in advance and should not be done after completion of selection process. Hence, prays to allow this petition.

4. The leaned standing counsel appearing for the respondent has filed a counter affidavit wherein, it has been stated that the appointing authorities have issued the appointment orders based on the provisional selection list dated 13.10.2022 and the selected candidates have joined



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their respective posts. Therefore, the entire recruitment for the post of Post Graduate Assistants for the year 2020-2021 has already attended finality. Hence prays to dismiss this petition.

5. Heard both sides and perused the materials available on record.

6. Before advertizing further it would be relevant to go through the counter affidavit filed by the respondents and the relevant portion is extracted hereunder:

It is submitted that the Board has further made an amendment to Notification No.01/2021 & 01C/2022 vide Notification No.01D/2022 dated 27.08.2022 whereby the vacancies were notified as 3236 (Backlog Vacancy – 251 and Current Vacancy – 2985) and the relevant portion for the subject political science is extracted hereunder:

“ It is hereby informed that in the Notification No.01/2021, dated 09.09.2021 & 01C/2022 dated 03.08.2022 for the direct recruitment for post Graduate Assistants/Physical Education Director Grade – I/Computer Instructor Grade-1 in School Education and other Departments for the year 2020-21 to 2022-23, in para 1 Number of vacancies, the following amendments are issued”.

Backlog Vacancy:

A. School Education Department:



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Subject: Political Science

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Earlier		Now to be read as	
Turn	No. of Vacancies	Turn	No. of Vacancies
MBC/DNC	3	MBC/DNC	3
MBC/DNC CAT 3	1	MBC/DNCCAT 3	1
SC	2	SC	2
ST	1	ST	1
MBC/DNC-Telugu	1	MBC/DNC-Telugu	1
Total	8	Total	8

Current Vacancy:

A. School Education Department:

Subject: Political Science

Earlier		Now to be read as		
Turn	No. of Vacancies	Turn	No. of Vacancies	SGT 10%
GT	2	GT	2	0
GT T	1	GT T	1	0
GT W	1	GT W	1	0
GT W CAT 2	1	GT W CAT 2	1	0
BC	3	BC	3	0
BC W	2	BC W	2	0
MBC/DNC T	1	MBC/DNC T	1	0
MBC/DNC	1	MBC/DNC	1	0
SC	1	SC	1	0
SCA	1	SCA	1	0
Total	14	Total	14	Nil

C. Chennai Corporation

Subject: Political Science

Earlier		Now to be read as		
Turn	No. of Vacancies	Turn	No. of Vacancies	SGT 10%
GT	1	GT	1	0
Grand Total	1	Grand Total	1	Nil



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It is submitted that on 27.08.2022 the Board released the list of candidates for Certificate Verification on its official website. It is submitted that the petitioner's name was included in the list of candidates called for certificate verification in Serial No.6 and the petitioner attended the same on 02.09.2022.

It is submitted that the Board as per the request from the user Department released an amendment to Notification No.01/2021 & 01D/2022 as Notification No.01E/2022 dated 17.09.2022 in which the number of vacancies notified was changed from 3236 to 3209 (Backlog-244 and Current Vacancy – 2965) and the vacancies notified for the subjects Bio-Chemistry and Indian Culture were made NIL and the relevant portion for the subject Political Science is extracted hereunder:

“ It is hereby informed that in the Board Notification No.01/2021, dated 09.09.2021 & 01D/2022 dated 27.08.2022 for the direct recruitment for Post Graduate Assistant / Physical Education Director Grade-I/Computer Grade – I in School Education and other Departments for the year 2020-21 to 2022-23 in para 1 number of vacancies (A) and para 3 subject wise details of Current Vacancies. (A) School Education Department the following amendments are being made based on the request from the user department ”

Backlog Vacancies:-

A.School Education Department:



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Subject: Political Science

<i>Earlier</i>		<i>Now to be read as</i>	
<i>Turn</i>	<i>No.of Vacancies</i>	<i>Turn</i>	<i>No.of Vacancies</i>
<i>MBC/DNC</i>	<i>3</i>	<i>MBC/DNC</i>	<i>1</i>
<i>MBC/DNC CAT e3</i>	<i>1</i>	<i>MBC/DNC CAT e</i>	<i>0</i>
<i>SC</i>	<i>2</i>	<i>SC</i>	<i>1</i>
<i>ST</i>	<i>1</i>	<i>ST</i>	<i>1</i>
<i>MBC/DNC (telegu)</i>	<i>1</i>	<i>MBC/DNC (telegu)</i>	<i>0</i>
<i>Total</i>	<i>8</i>	<i>Total</i>	<i>3</i>

Current Vacancies:-

A.School Education Department:

Subject:Political Science

<i>Earlier</i>		<i>Now to be read as</i>		
<i>Turn</i>	<i>No. of Vacancies</i>	<i>Turn</i>	<i>Now of Vacancies</i>	<i>SGT 10%</i>
<i>GT</i>	<i>2</i>	<i>GT</i>	<i>0</i>	<i>0</i>
<i>GT T</i>	<i>1</i>	<i>GT T</i>	<i>0</i>	<i>0</i>
<i>GT W</i>	<i>1</i>	<i>GT W</i>	<i>0</i>	<i>0</i>
<i>GT CAT 2</i>	<i>1</i>	<i>GT CAT 2</i>	<i>0</i>	<i>0</i>
<i>BC</i>	<i>3</i>	<i>BC</i>	<i>0</i>	<i>0</i>
<i>BC W</i>	<i>2</i>	<i>BC W</i>	<i>0</i>	<i>0</i>
<i>MBC/DNC T</i>	<i>1</i>	<i>MBC/DNC T</i>	<i>0</i>	<i>0</i>
<i>MBC/DNC</i>	<i>1</i>	<i>MBC/DNC</i>	<i>0</i>	<i>0</i>
<i>SC</i>	<i>1</i>	<i>SC</i>	<i>0</i>	<i>0</i>
<i>SCA</i>	<i>1</i>	<i>SCA</i>	<i>0</i>	<i>0</i>
<i>Total</i>	<i>14</i>	<i>Total</i>	<i>Nil</i>	<i>Nil</i>

It is further submitted that as per Notification No.01/2021 dated 09.09.2021, under clause 14 it is submitted as follows:

“14. General Information:

V. The number of vacancies notified is only tentative and it is liable for modification with



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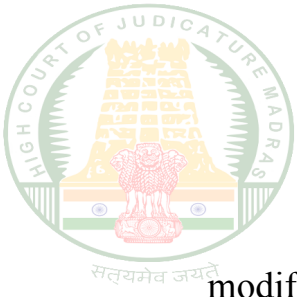
*reference to vacancy position of user Departments
before finalization of Selection.”*

7. Therefore, it is made clear that there is no vacancy for BC Category in Political Science according to the Notification No.01E/2022 dated 17.09.2022 and there was one vacancy under GT category (Chennai Corporation) in political science according to the Notification No.1D/2022 and the said post was filled accordingly:

S.No	Name	D.OB	Gender	Community	Marks	Turn
1	SivaKumar S	05.07.10984	Male	BC	92	GT CC

The petitioner has not been considered for selection as she has scored less marks(79 marks) than that of the selected candidate.

8. In view of the above it is seen that the petitioner's claim to quash the notification No.1E/2022 dated 17.09.2022 on the grounds of being illegal and arbitrary is not valid as the number of vacancies notified are in accordance with the request of the Department. Further it was already mentioned in the Notification No.01/2021 dated 09.09.2021, that the number of vacancies notified are tentative and is liable for



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modification with reference to vacancy position of Departments before finalization of selection.

9. In view of the above, it is made clear that the contentions of the petitioner is devoid of merits and the same cannot be accepted by this Court. Hence, this petition deserves to be dismissed. Accordingly this petition is dismissed. No order as to costs. Consequently the connected miscellaneous petition is closed.

25.03.2025

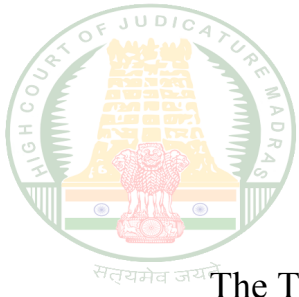
Speaking order : Yes/No
Neutral citation : Yes/No
Index : Yes/No
smn
To

1. The Principal Secretary,
School Education Department,
Fort St.George, Secretariat,
Chennai – 600 009.

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

3. The Secretary,

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The Teachers Recruitment Board,
DPI Campus, College Road,
Chennai – 600 006 .



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V.BHAVANI SUBBAROYAN, J.

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