



W.P.No. 37995 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 13.10.2025

CORAM

THE HONOURABLE Mr. JUSTICE A.D. JAGADISH CHANDIRA

W.P.No. 37995 of 2025

&

W.M.P.Nos. 42431 & 42434 of 2025

A.Sakthivel

...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 Directorate of School Education
Directorate of School Education,
DPI Campus,
College Road,
Chennai - 600 006



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3.The Director of Welfare for the Differently Abled Persons,
Directorate for Welfare of Differently Abled,
No.5, Kamarajar Salai,
Lady Wellington College Campus,
Chennai - 600 006.

...Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India, seeking Writ of Declaration, to declare that the counselling conducted on 03.09.2025 by the 1st and 2nd respondent for the subject Geography pursuant to the recruitment notification dated 25.10.2023 is illegal and against the proceedings dated 22.07.2009 issued by the Secretary to Government, Personnel and Administrative Reforms (S) Department and the provisions of Rights of Persons with Disabilities Act, 2016 and for a consequential direction to the 2nd Respondent to conduct fresh counselling for the subject Geography by giving first preference to the Physically Disabled Persons and appoint them accordingly.

For Petitioner : Mrs. N.Kavitha Rameshwar

For Respondents : Mrs. S.Mythreye Chandru
1 & 2 Special Government Pleader
(Education)

For Respondent 3: Mr. V.Jeevagiridharan
Additional Government Pleader.



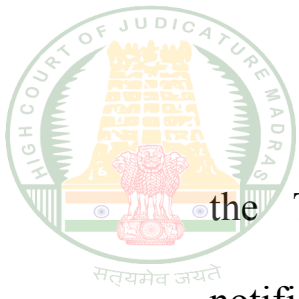
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ORDER

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This Writ Petition is filed for the relief of a Writ of Declaration, to declare that the counselling conducted on 03.09.2025 by the 1st and 2nd respondents for the subject Geography pursuant to the recruitment notification dated 25.10.2023 is illegal and against the proceedings dated 22.07.2009 issued by the Secretary to Government, Personnel and Administrative Reforms (S) Department and the provisions of the Rights of Persons with Disabilities Act, 2016 and for a consequential direction to the 2nd Respondent to conduct a fresh counselling for the subject Geography by giving first preference to the Physically Disabled Persons and appoint them accordingly.

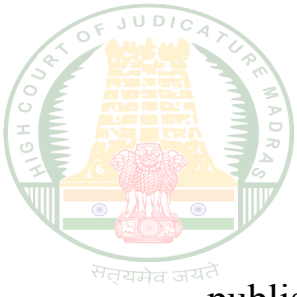
2. The case of the petitioner is that he has completed his graduation and thereafter completed his B.Ed. Pursuant to the above qualification, he had applied for Teacher Eligibility Test and participated in the Teacher Eligibility Test (TET – Paper II) conducted by the 3rd respondent in the year 2013 and he has also passed the same;



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the Teachers Recruitment Board issued the direct recruitment notification dated 25.10.2023 calling for applications to the post of Graduate Teachers / Block Resource Teacher Educators (BRTE); pursuant to the said notification, the petitioner applied for the said post to the subject - Geography and submitted his application; he belongs to the MBC category and he is a physically challenged person falling under the category III i.e., Locomotor Disability (CAT 3 (LD)); the Teachers Recruitment Board conducted the competitive examination on 04.02.2024 and published the results on 18.05.2024, wherein the petitioner has secured 60 marks (including weightage marks); thereafter, the Teachers Recruitment Board published the certification verification list for the subject – Geography, wherein the petitioner's name was included at S.No.153; pursuant to the same, the petitioner was called for certificate verification on 27.05.2024; he has also participated in the certificate verification and produced all his certificates.



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3. The further case of the petitioner is that thereafter, TRB published the provisional selection list on 23.08.2024, wherein the petitioner's name was included; subsequently, in the revised provisional selection list dated 09.04.2025, the petitioner's name was included; the petitioner was selected under backlog vacancy and he was allocated to the posts under the Directorate of School Education; pursuant to the above provisional selection list, the 2nd respondent called the petitioner for counselling on 03.09.2025; on receipt of the same, the petitioner participated in the counselling and he was allotted the Government High School, Madepatty, Krishnagiri District, by the 2nd respondent.

4. It is the further case of the petitioner that during the counselling itself, he had requested the 2nd respondent that he should be given first preference in the counselling as per the letter of Secretary to Personnel and Administrative Reforms Department dated 22.07.2009 and as per the Rights of Persons with Disabilities Act, 2016. Further, as per the procedure, first backlog vacancies should be filled up and then, the current vacancies. The petitioner was selected in the backlog



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vacancies. However, without considering and following the procedure under the Rights of Persons with Disabilities Act, 2016, the 2nd respondent has conducted the counselling; he had requested the 2nd respondent to allot any school within Salem District; however, the 2nd respondent allotted the school at Krishnagiri District; he was left with no other option at that point in time and therefore, he joined duty on 09.09.2025 at the Government High School, Madepatty, Krishnagiri District and he is working as a BT Assistant; on enquiry, he came to learn that there are six vacancies for the post of BT Assistant – Geography and he had made a detailed representation on 15.09.2025 requesting the respondents to conduct fresh counseling for Geography subject by following the procedure contemplated under law and allot any school in Salem District; since there is no response, the petitioner has filed this Writ Petition.

5. When the matter was listed on 08.10.2025, Mrs. S.Mythreye Chandru, Special Government Pleader (Education) sought time to get instructions from the respondents.



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6. Today, the learned Special Government Pleader would submit that except the Government Boys Hr. Sec. School, Edappadi, vacancies are available in the other schools, mentioned in paragraph No.10 of the affidavit filed in support of the Writ Petition.

7. At this juncture, the learned counsel for the petitioner would submit that the petitioner is ready and willing to join the Government High School, Chinnasoragai and requested that he may be transferred to the Government High School, Chinnasoragai.

8. Heard the learned counsel on the either side and perused the records.

9. Taking into consideration the fact that the petitioner is a physically challenged person and the fact that there is a vacancy at the Government High School, Chinnasoragai, where the petitioner also agreed to be posted, this Court, without going into the merits of the



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case, directs the respondents to accommodate the petitioner at the Government High School, Chinnasoragai, within a period of 1 week from today i.e., 13.10.2025.

10. With the above direction and observation, this Writ Petition is disposed of. Consequently, the connected miscellaneous petitions are closed. No costs.

13.10.2025

Index : Yes/No
Internet : Yes/No

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Note: Issue Order copy on 14.10.2025.



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To

1.The State of Tamilnadu

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A. D. JAGADISH CHANDIRA, J.

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