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W.P.(MD)NO.20145 OF 2013

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.08.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE K.RAJASEKAR

**W.P.(MD)Nos.20145 & 20146 of 2013 & 4655, 4656, 12392,
12435, 13092, 13093 & 13094 of 2014**

W.P.(MD)Nos.20145 & 20146 of 2013

Ambika

... Petitioner

in W.P.(MD)No.20145 of 2013

Lakshmi

... Petitioner

in W.P.(MD)No.20146 of 2013

Vs.

1. The Chairman,
The Teacher Recruitment Board,
4th Floor EVK Sambath Building,
DPI Campus, College Road,
Chennai – 600 006.

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

... Respondents

Common Prayer: Writ petitions filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to select and appoint the petitioner to the post of BT Assistant in the post of Chemistry based on the certificate



verification held on 13.05.2010 conducted by Teacher Recruitment Board in respect of selection to the post of Graduate Assistant 2009-2010, without insisting passing of Teacher Eligibility Test(TET) in compliance to the orders passed in RA.No.139 of 2012 in WA No. 2121 of 2012 dated 09.07.2013 with all consequential and attendant benefits within a time frame fixed by this Court.

For Petitioners : Mr.S.Pon Senthil Kumaran
For R-1 : Mr.T.Amjad Khan,
Government Advocate.
For R-2 : Mr.C.Venkatesh Kumar,
Special Government Pleader.

* * *

W.P.(MD)Nos.4655, 4656, 12392, 13092,13093 of 2014

A.Pillaiyar ... Petitioner
in W.P.(MD)No.4655 of 2014
R.Maharasi ... Petitioner
in W.P.(MD)No.4656 of 2014
M.Chitra ... Petitioner
in W.P.(MD)No.12392 of 2014
J.Murugesan ... Petitioner
in W.P.(MD)No.13092 of 2014
T.Helangnanamani ... Petitioner
in W.P.(MD)No.13093 of 2014
A.Albertvedamuthu ... Petitioner
in W.P.(MD)No.13094 of 2014



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W.P.(MD)NO.20145 OF 2013

Vs.

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1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
School Education Department,
St. George Fort, Chennai.
 2. The Director,
Department of School Education,
DPI Compound, Chennai.
 3. The Chairman,
Tamil Nadu Teachers Recruitment Board,
4th Floor EVK Sambath Building,
DPI Campus, College Road,
Chennai – 600 006.
 4. The District Employment Officer,
Virudhunagar District,
Virudhunagar.
- ... Respondents

Prayer in W.P.(MD)No.4655 of 2014 : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents herein to appoint the petitioner as B.T. Assistant Teacher in pursuant to the call letter issued by the third respondent in his proceedings in Memo No.2555/A2/2009 dated 30.04.2010 without reference to the Teacher Eligibility Test (TET) in conformity with the decision rendered by the Division Bench of this Court vide its order dated 09.07.2013 made in Rev. Application No.139 of 2012 and W.A.No.2121 of 2012 within the period that may be stipulated by this Court.

**Prayer in W.P.(MD)Nos.4656, 12392, 13092, 13093 &**

13094 of 2014 : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents herein to appoint the petitioner as Secondary Grade Teacher in pursuant to the call letter issued by the third respondent in his proceedings in Memo No.5015/A4/2008 dated 14.05.2009 without reference to the Teacher Eligibility Test (TET) in conformity with the decision rendered by the Division Bench of this Court vide its order dated 09.07.2013 made in Rev. Application No.139 of 2012 and W.A.No.2121 of 2012 within the period that may be stipulated by this Court.

For Petitioners : Mr.I.Robert Chandra Kumar
in W.P.(MD)Nos.4655 & 4656 of 2014.
Mr.G.Prabhu Rajadurai
in W.P.(MD)Nos.12392, 13092&
13093 & 13094 of 2014.

For R-1,R-2&R-4 : Mr.C.Venkatesh Kumar,
Special Government Pleader.

For R-3 : Mr.T.Amjad Khan,
Government Advocate.

* * *

W.P.(MD)No.12435 of 2014

V.Rohinidevi

... Petitioner

Vs.



WEB COPY

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

2. The Chairman,
Teachers Recruitment Board,
4th Floor, E.V.K.Sampath Maligai,
DPI Compound, College Road,
Chennai – 600 006.

3. The Director,
Department of School Education,
4th Floor, E.V.K.Sampath Maligai,
DPI Compound, College Road,
Chennai – 600 006.

4. The Director,
Department of Elementary Education,
4th Floor, E.V.K.Sampath Maligai,
DPI Compound, College Road,
Chennai – 600 006.

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to appoint the petitioner as Secondary Grade teacher in pursuant to the certificate verification made on 30.05.2009 without reference to the Teachers Eligibility Test (TET) in conformity with the decision rendered by this Court vide its common order dated 09.07.2013 made in Rev. Appln.No.139 of 2012 and W.A.No.2121 of 2012 within the period that may be stipulated by this Court.

For Petitioner : Mr.K.Sureshkumar



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W.P.(MD)NO.20145 OF 2013

For R-1,R-3&R-4 : Mr.C.Venkatesh Kumar,
Special Government Pleader.

For R-2 : Mr.T.Amjad Khan,
Government Advocate.

* * *

COMMON ORDER

Heard both sides.

2. In all these cases, the petitioners were sponsored by the jurisdictional Employment Exchange, when the Teachers Recruitment Board called for number of candidates for the post of B.T.Assistant-cum-Secondary Grade teachers. Admittedly, the selection process went up to the stage of certificate verification. Further steps were not taken. This was because, the writ petitioners herein had not passed TET. They therefore filed these writ petitions seeking issuance of writ of mandamus for directing the respondents to select and appoint them to the post of B.T.Assistants / Secondary Grade teachers based on the certificate verification without insisting them that they should pass TET.



3. The writ petitioners relied on the order dated 09.07.2013 passed by the Hon'ble Division Bench made in Review Application No.139 of 2012 and W.A.No.2121 of 2012.

4. When these writ petitions were filed, the aforesaid review order was holding the field. Subsequent developments went adverse to the writ petitioners. The State Government of Tamil Nadu filed appeals before the Hon'ble Supreme Court in Civil Appeal Nos. 9204-05/2014. The appeals were dismissed vide order dated 23.09.2014. The order passed by the Hon'ble Division Bench in the writ appeals / writ petitions / review were set aside. The matter was remanded to the file of the Hon'ble Division Bench. The Hon'ble Division Bench vide order dated **03.11.2015 in W.P.Nos.4827 of 2012 etc. batch (T.S.Anbarasu Vs. The State of Tamil Nadu)** dismissed all the writ petitions in the following terms:-

“18. In the result, the questions framed by the Hon'ble Supreme Court are answered as follows:-

(i) The petitioners/ appellants concede that there was no advertisement and the posts were notified by various Government orders, and the



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question is answered accordingly;

(ii) The petitioners / appellants do not dispute that the posts have been filled up and there is no challenge to the select list;

(iii) The petitioners / appellants concede that the selection was based on State wide seniority in the employment exchange coupled with communal rotation and not based on inter se merit.

(iv) The selection being only based on employment seniority and communal rotation, inter se merit was not the criteria for selection.

(v) In the light of the discussion in the preceding paragraphs, it is held that the petitioners / appellants have no vested right much less a right in perpetuity to have the appointment."

The issue raised in these writ petitions is squarely covered by the aforesaid decision. These writ petitions stand dismissed. No costs.

(G.R.SWAMINATHAN, J.) & (K.RAJASEKAR, J.)
18th August 2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

1. The Secretary to Government,
School Education Department,
St. George Fort, Chennai.
2. The Director,
Department of School Education,
DPI Compound, Chennai.
3. The Chairman,
Tamil Nadu Teachers Recruitment Board,
4th Floor EVK Sambath Building,
DPI Campus, College Road,
Chennai – 600 006.
4. The District Employment Officer,
Virudhunagar District,
Virudhunagar.



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W.P.(MD)NO.20145 OF 2013

G.R.SWAMINATHAN, J.

AND

K.RAJASEKAR, J.

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