



W.P.(MD)No.5557 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

W.P.(MD)No. 5557 of 2021

and

W.M.P.(MD)Nos.4407 and 4408 of 2021

T.Vijila,
W/o.V.R.Rajeeve,
Pakkia Nilayam,
Pulippunam, Pallivilai,
Kattathurai Post,
Kanyakumari District - 629 158.

Petitioner

Vs

1.The Government of Tamil Nadu,
Represented by the Secretary,
Education Department,
Secretariat,
Chennai.

2.The Teachers Recruitment Board,
Represented by its Chair Person,
E.V.K.Sampath Maaligai,
DPI Compound, College Road,
Chennai - 6.

3.The Member Secretary,
The Teachers Recruitment Board,
E.V.K.Sampath Maligai,
DPI Compoud,
College Road,
Chennai - 600 006.

Respondents



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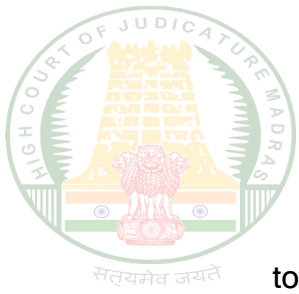
Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents 1 and 2 to consider the Petitioner's candidature meritoriously for recruitment to the post of Assistant Professor (Education) and publish the selection list and consequently appoint the Petitioner as Assistant Professor (Education) within the time frame stipulated by this Court.

For Petitioner : Mr.C.Mohan Kumar

For Respondents : Mr.F.Deepak
Special Government Pleader
For R-1
Ms.Rukmani
For Mr.V.R.Shanmuganathan
For R-2 & R-3

ORDER

1. Heard Mr.C.Mohan Kumar, learned counsel for the Petitioner, Mr.F.Deepak, learned Special Government Pleader for the 1st Respondent and Ms.Rukmani, learned representing counsel for Mr.V.R.Shanmuganathan, learned Standing Counsel for the Respondents 2 & 3.
2. This Writ Petition has been filed under the Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondents 1 and 2

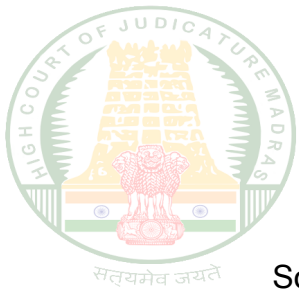


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to consider the Petitioner's candidature meritoriously for recruitment to the post of Assistant Professor (Education) and publish the selection list and consequently appoint the Petitioner as Assistant Professor (Education).

3. When the matter was taken up for hearing, Ms.Rukmani, learned representing counsel for Mr.V.R.Shanmuganathan, learned Standing Counsel for the Respondents 2 & 3, produced the written instructions before this Court and stated that the Teachers Recruitment Board has issued Notification No.12/2019 dated 28.08.2019 and 04.10.2019 for Direct Recruitment to the post of Assistant Professors in Tamil Nadu Collegiate Educational Service for Government Arts and Science Colleges and Colleges of Education for the year 2018-2019. She further stated that the Government has also passed G.O.Ms.No.248, Higher Education (F2) Department, dated 08.11.2022, cancelling the earlier Notification No. 12/2019 and directing the issuance of a fresh notification to fill 4000 vacancies. Pursuant to the Government Order, the Board, through a press release dated 02.12.2022, cancelled the earlier Notification No. 12/2019, which pertained to filling 2331 vacancies, and subsequently issued a fresh Notification No. 02/2024, dated 14.03.2024, for filling 4000 vacancies for the direct recruitment to the post of Assistant Professors in the Tamil Nadu Collegiate Educational Service for Government Arts and



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Science Colleges and Government Colleges of Education. A copy of the said order has been taken on record and furnished to the learned counsel for the petitioner. The learned counsel submitted that since the earlier Notification No. 12/2019 has been cancelled and a new Notification No. 02/2024 dated 14.03.2024 has been issued, the relief sought in the present writ petition has become infructuous. She further submitted that if the petitioner is aggrieved by the fresh notification, he may challenge it before the competent court of law, if so advised.

4. Mr.F.Deepak learned Special Government Pleader for the 1st Respondent, concurred with the submissions made by the learned representing counsel for the Respondents 2 & 3.
5. Mr.C.Mohan Kumar, learned counsel for the petitioner, after perusing the written instructions, submitted that he has no objection and requested permission of this Court to withdraw the writ petition, as it has become infructuous. He further submitted that liberty be granted to the petitioner to challenge the fresh Notification No. 02/2024 dated 14.03.2024, if he so desires, before the competent court of law. He has also made an endorsement to this effect in the affidavit filed in support of this writ petition.



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6. In view of the submissions and the endorsement made by the learned counsel for the Petitioner, this Writ Petition is dismissed as withdrawn, having become infructuous. Liberty is granted to the petitioner to challenge the fresh Notification No. 02/2024 dated 14.03.2024 before the competent court of law, if so advised. Consequently, connected miscellaneous petitions stand closed. Interim Order, if any, stands vacated and the file is consigned to record. There shall be no order as to costs.

13.03.2025

Index:Yes/No
Web:Yes/No
Speaking/Non Speaking
Nsr



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To:

- 1.The Secretary,
Education Department,
Secretariat,
Chennai.
- 2.The Teachers Recruitment Board,
Represented by its Chair Person,
E.V.K.Sampath Maaligai,
DPI Compound, College Road,
Chennai - 6.
- 3.The Member Secretary,
The Teachers Recruitment Board,
E.V.K.Sampath Maligai,
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SHAMIM AHMED, J.

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