



W.A(MD)No.993 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A(MD)No.993 of 2023
and
C.M.P(MD)No.7746 of 2023**

1.The Chairman,
Teachers Recruitment Board,
College Road,
Chennai – 06.

... 1st Appellant /
2nd Respondent

2.The Member Secretary,
Tamil Nadu Teachers Recruitment Board,
College Road,
Chennai – 06.

... 2nd Appellant /
3rd Respondent

Vs.

1.P.Ramasamy

... 1st Respondent /
Writ Petitioner

2.The State of Tamil Nadu
Represented by its
Principal Secretary,
Department of School Education,
Secretariat, Chennai – 09.

... 2nd Respondent /
1st Respondent



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Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order passed by the learned Judge dated 20.12.2022 in W.P(MD)No.1988 of 2020 on the file of this Court.

For Appellants : Mr.Amjad Khan
Government Advocate

For Respondents : Mr.T.Lajapathi Roy
Senior Advocate
for S.T.Thirumurugan
for R.1

Mr.C.Venkatesh Kumar
Special Government Pleader
for R.2

JUDGMENT

(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.The writ petitioner was an aspirant for the post of PG Assistant (Commerce). In the recruitment notification issued by the Teachers Recruitment Board, the vacancy in question was meant for the SCA category. The writ petitioner belongs to the said reserved category. Since he was not selected, he filed W.P(MD)No.1988 of 2020.



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3. When the matter was taken up for disposal, the Board contended that the vacancy in question had actually been earmarked for SCA-HH category (i.e., differently-abled). It had fallen under Rotation No.7 - turn - 66. The learned single Judge faulted the Board for not notifying the vacancy correctly, TRB had failed to indicate that the vacancy in question was meant for differently abled category. In view of the above, the writ petition came to be allowed. Aggrieved by the same, the Board has filed this Writ Appeal.

4. The relevant materials have been placed before us. We are satisfied that the rotation in question was 7th rotation and vacancy in question fell against turn 66. As per the 200 point roster, the said vacancy has been earmarked as SCA-HH category. It is also seen that as per Section 27(bbb) of Tamil Nadu Government Servants (Condition of Service) Act, 2016, the said vacancy was subsequently carried forward and is said to have been filled up by a differently-abled candidate coming under priority category.

5. After due verification of facts, we are satisfied that the vacancy in question fell at turn 1266. Even though the appellant may be faulted for not correctly notifying the vacancy as meant for differently-abled (priority)



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category, since a mandamus cannot be issued contrary to law, we are set aside
the order of the learned single Judge.

6.This Writ Appeal is allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[G.R.S., J.] [K.R.S., J.]
14.07.2025

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

To

The Principal Secretary,
State of Tamil Nadu
Department of School Education,
Secretariat, Chennai – 09.



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