

W.A(MD) No.1206 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.02.2025

CORAM

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HON'BLE MS.JUSTICE R.POORNIMA

W.A(MD)No.1206 of 2019
and
C.M.P.(MD)No.10423 of 2019

1.The District Elementary Educational Officer,
District Elementary Educational Office,
Karur.

2.The Director of Elementary Education,
Directorate of Elementary Education,
College Road, Nungambakkam, Chennai.

... Appellants

-VS-

1.Ramachandran

2.The Revenue Divisional Officer,
Kulithalai Taluk, Karur.

... Respondents

Prayer: This Writ Appeal is filed under Clause XV of Letters Patent, to set aside the order passed in W.P.(MD)No.12351 of 2009, dated 05.09.2018 on the file of this Court.



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For Appellants : Mr.S.Vinoth
Government Advocate
For R1 : Mr.H.Mohammed Imran
for M/s.Ajmal Associates
For R2 :Mr.D.Ghandhiraj
Special Government Pleader

JUDGMENT

DR.G.JAYACHANDRAN, J.
and
R.POORNIMA, J.

The Writ Petition filed by the first respondent seeking Certiorarified Mandamus in respect of the proceedings passed by the second respondent in connection with the migration from one employment district to another employment district and fixation of seniority based on the migration, was considered by this Court and the same was allowed vide order, dated 05.09.2018.

2.The said order is challenged by way of this intra court appeal primarily on the ground that:

(1)the first respondent/Writ Petitioner along with others with the very same prayer had filed another Writ Petition before the Principal Seat



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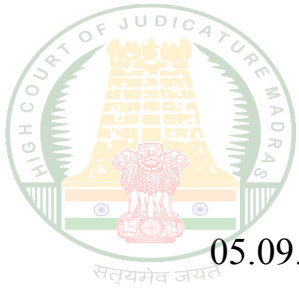
of this Court in W.P.No.5610 of 2015 and the same was dismissed by the Principal Seat on 26.09.2018.

(2)a candidate, who is included in the panel for consideration, cannot claim employment as a matter of right, as mere inclusion in the rank list will not give any right to get appointment.

(3)the exemption sought from TET subject to verification of the genuineness of the migration certificate is not sustainable.

3.The learned Counsel for the first respondent/Writ Petitioner fairly concedes that the first respondent/Writ Petitioner has suffered an adverse order from the Principal Seat of this Court subsequent to the order passed by this Court, which is impugned in this Writ Appeal. In any event, the first respondent cannot have the benefit of the order passed by the Madurai Bench of this Court, as he has crossed the upper age limit seeking employment as a Teacher.

4.In the light of the above fact, the Writ Appeal is allowed to maintain the uniformity and judicial propriety. Accordingly, the order passed by the Writ Court in W.P.(MD)No.12351 of 2009, dated



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05.09.2018 is set aside. No costs. Consequently, connected
miscellaneous petition is closed.

(G.J., J.) (R.P, J.)
20.02.2025

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

cmr

To

The Revenue Divisional Officer,
Kulithalai Taluk, Karur.



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