Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2026

CORAM

THE HON'BLE MR.JUSTICE KRISHNASWAMY GOVINDARAJAN

WMP No. 5764 of 2026
in
WP No. 15235 of 2019

WMP No. 5764 of 2026

The Commissioner
Employment and Training,
Commissioner Office,
Guindy, Chennai-92.

...Petitioner(s)

Vs

1. T.Gangeswari
   W/o.T.Balasubramaniam,
   1/200, Irumathur Village and Post,
   Karimangalam Taluk,
   Dharmapuri District-635 201.

2. The State Rep By
   The Secretary to Government
   School Education Department,
   Fort St. George, Chennai-600 009.

3. The Member Secretary
   Teachers Recruitment Board,
   EVK Sampath Buildings,
   DPI Compound,
   College Road, Chennai-6.

4. M K Ravichandran
   S/o.P.Kaliyaperumal,
   Kalinger Street,
   Karapalyam Post,
   Udayarpalayam Taluk,
   Ariyalur District

...Respondent(s)

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WP No. 15235 of 2019

T.Gangeswari
W/o.T.Balasubramaniam,
1/200, Irumathur Village and Post,
Karimangalam Taluk,
Dharmapuri District-635 201.

...Petitioner(s)

Vs

1. The State Rep.by
   The Secretary to Government,
   School Education Department,
   Fort St. George, Chennai-600 009.

2. The Member Secretary
   Teachers Recruitment Board,
   EVK Sampath Buildings,
   DPI Compound,
   College Road, Chennai-6.

3. The Commissioner
   Employment and Training,
   Commissioner Office,
   Guindy, Chennai-92.

4. M.K.Ravichandran
   S/o.P.Kaliyaperumal, Kalinger Street,
   Karapalyam Post, Udayarpalayam Taluk,
   Ariyalur District

...Respondent(s)

PRAYER in WMP No. 5764 of 2026: The Writ Miscellaneous Petition is filed under Article 226 of the Constitution of India, to modify the order dated 26.09.2025 made in W.P.No.15235 of 2019.

PRAYER in WP No. 15235 of 2019: The Writ Petition is filed under Article 226 of the Constitution of India, Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the 2nd respondent in Na.Ka. No.8655/L2/2018 dated 26.03.2019 and quash the same, and direct the respondents to cancel the appointment of the 4th respondent and to appoint the

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petitioner, from the date on which the 4th respondent was appointed, as BT Assisant-Tamil and to confer all the consequential benefits.

In WMP No. 5764 of 2026

For Petitioner(s): Mr.C.P.Goutham
Government Advocate.

ORDER

The present application was filed by the third respondent for modifying the order dated 26.09.2025. By order dated 26.09.2025, this Court observed as follows:

(Paragraph 21 of the order is extracted)

> *"21. Though, the second respondent had categorically claimed that the selection of the 4th respondent is on account of his Employment Exchange seniority, the 3rd respondent who is the competent authority to certify the actual date of registration with the employment exchange, having stated that the registration of the 4th respondent to be on 26.04.1993, the 2nd respondent could not have considered the registration one year prior to the actual date of registration (I.e, 26.04.1992) thereby placing the 4th respondent in seniority over the petitioner, who was registered with the employment exchange on 06.11.1992. If the actual date of registration of the 4th respondent with the employment exchange is taken into consideration, the 4th respondent would be junior to the petitioner by nearly six months. The 2nd respondent instead of placing the 4th respondent as junior to the petitioner, however chose to place the*

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4th respondent as senior to the petitioner by six months, and appointed him to the post of BT Assistant over looking the petitioner's seniority. The fact of the 2nd respondent not filing the counter, justifying their stand and on the other hand the 3rd respondent by the counter affidavit seeking to justify the action of the 2nd respondent vide letter dated 28.03.2012, three years after sponsoring the petitioner's name, would not by itself confer any right on the respondent to exclude the name of the petitioner, unless and until it is shown that the petitioner having either been selected for some employment or on being offered employment having rejected to take up the said employment."

2. The direction is given to Respondents 1, 2, and 3. The claim of the third respondent that they are not an appointing authority, and as such the order has to be modified, cannot be accepted. At this point of time, this Court also feels that if the third respondent is aggrieved by the order, the remedy is not by way of modification of the order. The application for modification is not maintainable. Hence, the present Writ Miscellaneous Petition is dismissed. No costs.

30-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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To:-

1. The State Rep By The Secretary To The Government
   School Education Department,
   Fort St. George,
   Chennai-9.

2. The Commissioner
   Employment and Training,
   Commissioner Office,
   Guindy, Chennai-92.

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KRISHNASWAMY GOVINDARAJAN, J.

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