



WEB COPY

WP Nos.8820 & 8825 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.02.2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

**WP Nos. 8820 & 8825 of 2025
and W.M.P.Nos.9892, 9896, 9898 & 9899 of 2025**

K.Dass

..Petitioner(s)
(In W.P.No.8820 of 2025)

Mr.Ramasamy

..Petitioner(s)
(In W.P.No.8825 of 2025)

Vs

1.State of Tamil Nadu,
Represented by its Principal Secretary,
School Education Department,
Secretariat,
Chennai-9.

2.Teachers Recruitment Board,
Represented by its Chairman,
3rd Floor, Puratchi Thalaivar Dr.MGR Centenary
Building,
DPI Campus, College Road,
Chennai-600006.

3.The Member (School Education),
Teachers Recruitment Board,
3rd Floor, Puratchi Thalaivar Dr.MGR Centenary
Building,
DPI Campus, College Road,
Chennai-600006.

4.The Director of School Education,
DPI Campus,
Chennai-6.

..Respondent(s)
(In both Petitions)



Common Prayer : Petitions filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus quash the Revised Selection list for special teacher [Drawing] dated 23.012025 published by the 2nd Respondent in so far as it is excluded the name of the Petitioner as selected candidate in the category of Schedule caste [General] and consequently directing the Respondents to appoint the Petitioner in the post of Special Teachers drawing within the time stipulated by this Hon'ble Court.

In both Petitions

For Petitioner(s)	: Mr.K.Thilageswaran
For Respondent(s)	: Mr.S.Mythreye Chandru, Special Government Pleader, For RR-1 to 4
	: Mr.C.Kathiravan for RR-2 & 3

COMMON ORDER

Since the issue involved in these Writ Petitions is one and the same, these petitions are taken up for final disposal by way of common order.

2. These Writ Petitions have been filed challenging the Revised Selection list for the post of Special Teacher [Drawing] dated 23.01.2025 published by the 2nd Respondent, in and by which, the petitioners' names were not included under the Scheduled Caste [General].



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3. Pursuant to the recruitment notification issued by the 2nd respondent on 26.07.2017 for appointments to the post of Special Teacher (Drawing) notifying 27 vacancies under the Scheduled Castes (General) Category, the petitioners had applied, participated in the selection process and secured the minimum qualifying cut off marks (63 marks) under the said category. It is the case of the petitioners that, though their names were found in the Revised Provisional Selection list dated 12.10.2021 and despite the vacancies, appointment orders were not issued to them. Therefore, the petitioners along with four other similarly placed persons filed a Writ Petition in W.P.No.31937 of 2023 wherein, this Court directed the 2nd and 4th respondents to comply with the order passed in W.P.(MD).No.27630 of 2023 dated 30.11.2023.

4. As the said direction was not complied with, a Contempt Petition in Cont.P(MD).No.534 of 2024 was filed before the Madurai Bench of this Court. During the pendency of the Contempt Petition, appointment orders were issued to the candidates covered under W.P.(MD).No.27630 of 2023 alone. Therefore, the petitioners were constrained to file a separate Contempt Petition in Cont.P.No.2996 of 2024 before this Court. Pending the same, the impugned Revised Provisional Selection List dated 23.01.2025 came to be issued. Aggrieved by which, the present Writ Petition has been filed.



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5. Learned counsel appearing for the petitioners submitted that the main grievance of the petitioners is that though their names were found in the Revised Provisional Selection list dated 12.10.2021 at serial number 241 under SC (G) ExSm, they were not selected to the post of Special Teacher (Drawing) despite the fact that the petitioners are coming very next to the last selected candidate under the said category. He further submitted that, out of the 27 notified vacancies, only 25 vacancies have been filled and the remaining two vacancies are yet to be filled and that no reasons have been stated by the respondents for rejection of the petitioners' candidatures and thus, the impugned selection list is liable to be interfered with. Accordingly, he prayed for allowing the Writ Petitions.

6. Learned Special Government Pleader appearing for the respondents 1 to 4 submitted that though the petitioners participated in the selection process pursuant to the notification dated 26.07.2017 and secured minimum qualifying cut off marks (i.e., 63 marks), the required cut off marks for candidates under General Turn was 69 marks. Insofar as the contention of the petitioners that, out of the 27 vacancies notified under the SC (general) category, only 25 vacancies were filled and remaining 2 vacancies under (SC CAT-I & SC CAT-II) were not filled due to non-availability of eligible candidates under the disabled



category, since the petitioners are not falling within the said category and that they are juniors in age to the last candidate namely Anbu Saravanan (date of birth is 10.05.1976) who was selected under the Scheduled Caste General Category, the petitioners were not considered for selection to the post of Special Teacher (Drawing) as they are not entitled to compete with the candidates under the general category.

7. It is the further submission of the learned Special Government Pleader that, clause 3(b)(v) of the said notification clearly stipulates that G.O.Ms.No.68, School education (SE3(1)), Department, dated 17.04.2017 and G.O.Ms.No. 21, Welfare of Differently Abled Persons (DAP.3.2) Department, dated 30.05.2017 shall be followed in respect of reservations for candidates under the disabled category and therefore, there is no requirement for a separate clause in the notification concerning the said category. He further submitted that the vacancies earmarked for the differently-abled category cannot be filled by non-disabled candidates and that such vacancies are to be carried forward to the subsequent recruitment notification.

8. Heard the learned counsel appearing on either side and perused the materials available on record.



9. It is the admitted case of the petitioners that they had secured only the minimum qualifying cut off marks (63 marks), whereas the cut off marks prescribed for the General Turn category was 69 marks. Therefore, the petitioners did not meet the requisite criteria for selection under the said category. However, this Court finds that the last candidate who was selected under the relevant category, namely Anbu Saravanan (Date of Birth 10.05.1976) was senior in age to the petitioners. In terms of the selection criteria, the age being the determining factor, the petitioners being younger in age, cannot claim precedence over the said candidate.

10. Insofar as the contention relating to reservation in respect of differently abled persons is concerned, this Court finds that Clause 3(v)(b) of the notification specifically incorporates the provisions of the relevant Government Orders, namely G.O.Ms.No.68, School education (SE3(1)), Department, dated 17.04.2017 and G.O.Ms.No.21, Welfare of Differently Abled Persons (DAP.3.2) Department, dated 30.05.2017 and therefore, no separate clause is required in the notification under the category of differently abled persons as the vacancies earmarked for the differently-abled category cannot be filled by non-disabled candidates and that such vacancies are required to be carried forward to the subsequent recruitment notification.



11. Mere non-inclusion of a particular clause in the notification cannot by itself, be the basis for interference. It is well settled that, unless the selection process is vitiated by any statutory provisions, arbitrariness or malafide intention on the part of the respondents, this Court cannot interfere with the same. In the present case, no such infirmity has been established, therefore, this Court holds that the petitioners are not entitled to the relief sought for in these Writ Petitions and that no interference is warranted with the impugned selection process.

12. For the reasons afore-stated, the Writ Petitions are dismissed. There shall be no order as to costs. Consequently, connected Writ Petitions are closed.

17-02-2026

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

NHS



To

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State of Tamil Nadu,
School Education Department,
Secretariat,
Chennai-9.

2.The Chairman,
Teachers Recruitment Board,
3rd Floor, Puratchi Thalaivar Dr.MGR Centenary Building,
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M.DHANDAPANI, J.

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