



WEB COPY

W.A.No.1267 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-06-2026

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

W.A.No.1267 of 2026

K.M.Chinnasamy

... Appellant

-VS-

1. The Chairman
Teachers Recruitment Board,
College Road,
Chennai 6.
2. The Member Secretary
Teachers Recruitment Board,
College Road,
Chennai 6
3. The Director of School Education
DPI Compound,
College Road,
Chennai 006
4. The Secretary
Diamond Jubilee Higher Secondary School
Gobichettipalayam,
Erode District.

... Respondents

Prayer: To set aside the order passed in W.P.No.16188 of 2025 dated 11.07.2025 consequently direct the respondents herein to confer the post of P.G.Assistant in Botany in any of the existing vacancy in Erode District.



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W.A.No.1267 of 2



For Appellant: Mr.R.S.Anandan

For Respondent(s): Mr.C.Kathiravan
Standing Counsel for R1 & R2
Mr.S.N.Ravichandran for R4

J U D G M E N T

(Judgment of the Court was delivered by S.M.Subramaniam J.)

An employee, who has slept over his service rights cannot wake up one fine morning and seek remedy by filing a Writ Petition, seeking implementation of the order passed by the Writ Court long before.

2. In the present case, the appellant, who filed Writ Petition, had earlier filed W.P.No.20896 of 2008, seeking appointment to the post of P.G.Assistant in Botany or Biology and the said writ petition came to be allowed. Aggrieved by the same, the respondent in the writ petition preferred an appeal in W.A.No.2427 of 2010 and the Writ Court order was confirmed by the Division Bench of this Court on 19.04.2013. The appellant also filed Cont.P.No.1073 of 2010.

3. Admittedly, the appellant has not pursued his remedy vigilantly and effectively. Subsequently, he retired from service on attaining the age of superannuation. Writ Petition was filed in the year



2025 for a direction to the respondents 1 to 3 to confer the post of P.G.Assistant in Botany. The petitioner, by that time, attained the age of superannuation. Presently, the petitioner is aged about 60 years. Writ Court has considered all these facts elaborately and found that no writ petition is maintainable, seeking implementation of the order passed in the earlier writ petition. More so, in the present case, the appellant has filed Cont.P.No.1073 of 2010 and W.A.No.2427 of 2010 was also disposed of in the year 2013.

4. This Court is of the considered view that reasons stated by the Writ Court are candid and convincing. More so, the appellant is already aged about 60 years. Therefore, he cannot be appointed nor be permitted in the post of P.G.Assistant based on the relief sought for. Thus, Writ Appeal, being devoid of merits, stands dismissed. No costs.

(S.M.S.,J.) (N.S.,J.)
01-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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S.M.SUBRAMANIAM,J.
AND
N.SENTHILKUMAR,J.
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