

BEFORE THE MADRAI BENCH OF MADRAS HIGH COURT
DATED : 04.12.2014

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition (MD) No.12025 of 2014
and
Connected Miscellaneous Petitions

M.Rajkumar

... Petitioner

Vs.

- 1) The Principal Secretary to Government,
Department of School Education,
Fort St.George, Secretariat,
Chennai.
- 2) The State Project Director,
Sarva Shiksha Abhiyan,
D.P.I Campus, Nungampakkam,
Chennai-600 006.
- 3) The Chairman,
Teachers Recruitment Board,
EVK Sampath Maaligai, DPI Campus,
College Road, Nungampakkam,
Chennai-600 006.
- 4) The Director of School Education,
EVK Sampath Maaligai, DPI Campus,
College Road, Nungampakkam,
Chennai-600 006.
- 5) The Joint Director of School Education,
EVK Sampath Maaligai, DPI Campus,
College Road, Nungampakkam,
Chennai-600 006.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned Notification/Advertisement No.2/2014 dated 14.07.2014 issued by the 3rd respondent and quash the same and consequently direct the respondents to absorb the Block Resource Teacher Educators including the petitioner as Graduate Teacher (B.T Assistant) in Government High and Higher Secondary Schools in pursuance of G.O(Ms) No.15B, School Education (C2) Department dated 07.09.2006 every year.

For Petitioner : Mr.D.Shanmugasrja Sethupathi

For Respondents : Mr.S.Kumar, AGP

ORDER

This writ petition has been filed by M.Rejkumar challenging the impugned Notification/Advertisement No.2/2014 dated 14.07.2014 issued by the 3rd respondent/Chairman, Teachers Recruitment Board, Chennai, to quash the same and consequently direct the respondents to absorb the Block Resource Teacher Educators including the petitioner as Graduate Teachers (B.T Assistant) in Government High and Higher Secondary Schools pursuant to G.O(Ms)No.158, School Education (C2) Department dated 07.09.2006 every year.

2. Assailing the impugned notification, Mr.D.Shenmugereje Sethupathi, learned counsel for the petitioner submitted that the petitioner was appointed as a Block Resource Teacher Educator by the 5th respondent vide his proceedings dated 21.07.2007. He has rendered more than seven years of service, but without absorbing the petitioner and other similarly placed persons, the present impugned notification has been issued in order to fill up the posts of B.T Assistant from the open market. When G.O.(Ms)No.16 School Education (Q2) Department dated 05.02.2002 states that the posts of Block Resource Teacher and B.T. Assistant are interchangeable, the 3rd respondent before issuing the notification, ought to have considered the petitioner who has already put in seven years of service, he pleaded.

3. However, during the pendency of the writ petition, since the petitioner has received a communication dated 07.08.2014 of the 4th respondent informing that he will be considered along with 885 people already appointed as Block Resource Teacher Educators, learned counsel for the petitioner is not pressing the first prayer, however, he has prayed this Court to direct the 2nd respondent to give consent to the proposal already sent by the 4th respondent regarding absorption of 885 Block Resource Teacher Educators with a further direction to the 4th respondent to pass appropriate order thereafter.

4. Mr.S.Kumar, learned Additional Government Pleader also has no objection for such direction being granted.

5. In view of the above, the writ petition is disposed of directing the 2nd respondent/State Project Director, Sarva Shiksha Abhiyan, Chennai, to give consent to the proposal already sent by the 4th respondent regarding absorption of 885 Block Resource Teacher Educators. On receipt of such consent by the 2nd respondent, the 4th respondent/Director of School Education, Chennai, shall pass appropriate orders forthwith. No costs. Consequently, connected miscellaneous petitions are closed.

\\True copy\\

Sd/-
Assistant Registrar(Per.Admn)



Sub Assistant Registrar

To

- 1) The Principal Secretary to Government,
Department of School Education,
Fort St.George, Secretariat,
Chennai.
- 2) The State Project Director,
Sarva Shiksha Abhiyan,
D.P.I Campus, Nungampakkam,
Chennai-600 006.
- 3) The Chairman,
Teachers Recruitment Board,
EVK Sampath Maaligai, DPI Campus,
College Road, Nungampakkam,
Chennai-600 006.
- 4) The Director of School Education,
EVK Sampath Maaligai, DPI Campus,
College Road, Nungampakkam,
Chennai-600 006.
- 5) The Joint Director of School Education,
EVK Sampath Maaligai, DPI Campus,
College Road, Nungampakkam,
Chennai-600 006.

+1 CC TO M/S.D.SRANMUGARAJASETHUPATHI, ADVOCATE SR.NO.65494

+1 CC TO THE SPL.GOV'T.PLEADER SR.NO65302

W.P(MD)No.12025 of 2014
AND
MP(MD).Nos.1 to 3/2014
04.12.2014

nb2

NA/11/12/2014/P3/SC

**MADRAS HIGH COURT
MADURAI BENCH**

S. R. No. ... **65494** ...

Carbon Copy Application

made **05/12/2014**

Application Returned .../...2014

Application Rejected .../...2014

Copy made ready **12/12/2014**

Copy delivered **12/12/2014**

S. Srinivasan
Section Officer
F & C. Section