

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

W.P.No.812 of 2015

K.Savitha

...Petitioner

Vs.

- 1.The Secretary,  
Co-operative Department,  
Government of Tamil Nadu,  
Secretariat,  
Chennai - 600 009.
- 2.The Joint Registrar of Co-operative Societies,  
Office of the Co-operative Societies Joint Registrar,  
Beach Road,  
Cuddalore.
- 3.The Manager,  
District Recruitment Bureau of Co-operatives,  
Head Office,  
Cuddalore.

...Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the respondents to provide the job of sales person to the petitioner in any of the establishments of the co-operative departments fixing a time limit for the same on the basis of the interview conducted for the post and the genuine representation dated 4.12.2014 submitted to the respondents.

For Petitioner : Mr.L.Chandrakumar for  
Mr.S.Soundararajan

For Respondents: Mr.D.Venkatachalam  
Government Advocate [R1 & R2]  
Mr.P.Sanjay Gandhi  
Additional Govt.Pleader [R3]

O R D E R

The petitioner seeks a writ of mandamus directing the respondents to appoint her as sales person, pursuant to the interview held on 07.01.2014.

2. According to the petitioner, she took part in the interview conducted by the third respondent along with other candidates.

However, she was not given appointment, notwithstanding her qualification and experience. The petitioner is therefore before this Court.

3. The second respondent has filed a counter affidavit justifying the non-selection of the petitioner. According to the second respondent, interview was conducted and ultimately, selection was made on the basis of the marks. The petitioner secured only 42 marks and as such, she was not selected.

4. Heard the learned counsel for the petitioner and the learned counsel on behalf of the respondents.

5. The respondents have produced the selection file. The petitioner secured only 42 marks. The last candidate under MBC quota secured 70 marks. Since the petitioner secured only 42 marks, there is no question of directing the respondents to select her and appoint her as sales person. I am therefore of the view that no mandamus can be issued.

6. The learned counsel for the petitioner contended that there are vacancies and as such, the petitioner could also be accommodated. The learned counsel for the respondents denied the said submission.

7. The respondents are directed to consider the case of the petitioner in case there are still vacancies to be filled up, taking into account the selection already made.

8. The Writ petition is disposed of with the above observation. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

To

1. The Secretary,  
Co-operative Department,  
Government of Tamil Nadu,  
Secretariat,  
Chennai - 600 009.

2. The Joint Registrar of Co-operative Societies,  
Office of the Co-operative Societies Joint Registrar,  
Beach Road,  
Cuddalore.

3.The Manager,  
District Recruitment Bureau of Co-operatives,  
Head Office, Cuddalore.

+1 cc to the Government Pleader,SR.15863

+1 cc to M/s.S.Soundarajan, Advocate,SR.15507.

ppa (co)  
krd 9/4

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