

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.01.2015

CORAM:

The Honourable Mr.Justice K.K.SASIDHARAN

W.P.No.14254 of 2013
& M.P.No.1 of 2013

J. Justin Arularasu

...Petitioner

- Vs. -

1. The University Grants Commission
Bahadur Shah Zafar Marg
New Delhi-110 002.

2. Bharathiar University
rep. by the Secretary
State Eligibility Test (SET)
for Lectureship
Coimbatore - 641 046.

...Respondents

Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying for a Writ of Certiorarified Mandamus calling for the records culminating in the passing of the petitioner's results dated 9.2.2013 of SET 2012 by the second respondent and quash the same and consequently direct the respondents to treat the petitioner's candidature under OBC category and declare his results in SET 2012 as passed, qualified and eligible for appointment to the post of Lecturer in Chemistry.

For Petitioner : Mr.L.S.M. Hasan Fizal

For Respondents: Mr.P.R. Gopinath for R.1

Mr.S.T.S.Moorthy for R.2

ORDER

The petitioner submitted an application for participating in the State Eligibility Test conducted in the year 2002. The application was submitted pursuant to the notification dated 10 August 2012 issued by the second respondent. The petitioner was not in a position to obtain OBC certificate and as such he applied in General Category. The petitioner appeared for the examination on 7 October 2012. Thereafter he obtained OBC certificate dated 12 December 2012 from the Tahsildar, Krishnagiri. The certificate was forwarded to the second respondent requesting to treat him as a candidate under OBC category. The second respondent failed to recognise the said certificate. The petitioner failed to secure the minimum marks

earmarked for general category candidates and as such he was not selected. Feeling aggrieved by the non selection, the petitioner has filed this writ petition.

2. Heard the learned counsel for the petitioner and the learned standing counsels for the University Grants Commission and Bharathiar University.

3. There is no dispute that the notification issued by the second respondent contained a stipulation that the candidates applying in reserved category should produce the certificate along with the application. It is also not in dispute that the petitioner has applied only under the General Category. The petitioner obtained OBC certificate long after the completion of examination. The second respondent treated the petitioner as a general candidate. There was no obligation on the part of the second respondent to accept the certificate produced by the petitioner two months after the completion of selection. The fact that the results were published only at a later point of time would not give a right to the petitioner to contend that he should have been considered under the OBC category, notwithstanding the fact that his application was only under general category. I am therefore of the view that there is absolutely no merit in the writ petition filed by the petitioner.

4. In the upshot, I dismiss the writ petition. Consequently the connected MP is closed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Tr/

To

1. The University Grants Commission
Bahadur Shah Zafar Marg New Delhi-110 002.

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+ 1 cc to Mr.L.S.M. Hasan Fizal, Advocate Sr.714
+ 1 cc to Mr.P.R. Gopinathan, Advocate Sr.788
+ 1 cc to Mr.S.T.S. Moorthy, Advocate Sr.443

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VGI (CO)

Eu 21.1.15