

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 23.11.2016

CORAM

THE HONOURABLE MR. JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P. NO. 13569 OF 2016
AND
W.M.P. NOS. 11885 & 11886 OF 2016

G.Dhanraj ... Petitioner

- Vs -

The Principal District Judge
Vellore District, Vellore. .. Respondent

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of certiorarified mandamus calling for the records relating to the order of the respondent dated 10.02.2016 in Dis. No.D8/2016/ and quash the same and consequently direct the respondent to select the petitioner for the post of senior bailiff on the basis of his performance in the written examination.

For Petitioner : Mr. K.Selvaraj

For Respondents: Mr. E.K.Kumaresan

ORDER

(DELIVERED BY HULUVADI G.RAMESH, J.)

Pursuant to the notification issued by the respondent dated 1.9.2015, calling for applications from eligible candidates for filling up certain posts, the petitioner had submitted his application along with the necessary documents. Though the receipt of the application for the post of senior bailiff was acknowledged by the respondent, however, for the reason that community certificate was not enclosed, the application of the petitioner was rejected by the respondent, which is totally arbitrary and unreasonable and against the factual position, since the petitioner had submitted his application along with all the relevant documents. Though the application was received on 25.9.2015, after a lapse of five months, the application was rejected and communicated on 12.3.16. The reason attributed by the respondent is wholly unjustified. Though the petitioner went in person and informed about the despatch of his application form along with the necessary enclosures, for which

the subordinates of the respondent informed that they would search the documents, however, the petitioner was not called for written examination. Aggrieved by the above act of the respondent, the present petition has been filed.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent and perused the materials available on record.

3. This Court, vide order dated 15.4.2016 had directed the respondent to permit the petitioner to take the written examination subject to the result of the writ petition. It is also evident from the communication of the respondent to the Registry, which is produced before this Court that the respondent, in pursuant to the order of this Court had written the examination for the post of Senior Bailiff, but had obtained marks, which was lesser than the cut-off marks required for being called for preliminary interview. Therefore, the petitioner was not called for interview.

4. Such being the position of fact as is evident from the letter dated 2.11.16 addressed to the Registry by the Principal District Judge (i/c), Vellore District, nothing further remains for adjudication in this petition and this petition is liable to be dismissed.

5. Accordingly, the writ petition is dismissed. Consequently, connected miscellaneous petitions are also dismissed. However, in the circumstances of the case, there shall be no order as to costs.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

GLN

To

The Principal District Judge
Vellore District, Vellore.

1 cc to Mr. K. Selvaraj, Advocate, Sr. 68419

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