

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.08.2016

CORAM

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P. No.26269 of 2016
& W.M.P.No.22523 of 2016

R.Prithiviraj

.. Petitioner

Vs.

The Chairman

Tamil Nadu Forest Uniformed Services

Recruitment Committee,

O/o.Principle Chief Conservator of Forest,

Panagal Building, Saidapet, Chennai - 600 015. ... Respondent

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 08.07.2016 for selection of forester in the exam conducted by the Tamil Nadu Forest Uniformed Service Recruitment Committee during February 2015 and select the petitioner as forester under ex-service men category and pass such further order or direction in the facts and circumstances of the case.

For Petitioner : Mr.S.N.Kirubanandam

For Respondents : Mr.M.Inbanathan, Government Advocate

O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondent to consider the petitioner's representation dated 08.07.2016 for selection of forester in the exam conducted by the Tamil Nadu Forest Uniformed Service Recruitment Committee during February 2015 and select the petitioner as Forester under ex-service men category.

2.The respondent vide Notification No.37, dated 24.09.2014 called for applications from the aspiring candidates for various posts and has provided reservation for different categories, one such category is ex-service men and provided 5% reservation to the ex-service men category. While so, the petitioner's father is an ex-service men and therefore, the petitioner is entitled to apply as dependant of ex-service men but at the time of application, the ex-service men certificate was not readily available and therefore, he applied under Back Ward Class Category. According to the petitioner, he possessed all qualifications and requirements as mandated in the

notification and hence, applied for the post of Forester and succeeded in the examination. Thereafter, he made representation to the respondent along with the certificate issued by the Union Government to certify that his father was an ex-service men and discharged duty on 22.04.1976 and requested to consider his candidature under ex-service men category but it was not considered and hence, the Writ Petition has been filed.

3.Mr.S.N.Kirubanandam, learned counsel for the petitioner would submit that the petitioner would be satisfied, if his representation is directed to be considered and appropriate orders are passed as expeditiously as possible, since the certificate verification has been over and the results are yet to be published.

4.Mr.M.Inbanathan, learned Government Advocate for the respondent has got no serious objection for directing the respondent to consider the representation of the petitioner and pass appropriate orders, on merits and in accordance with law.

5.Considering the submissions made on either side, this Court, without going into the merits of the claim made by the petitioner, directs the respondent, to consider the representation of the petitioner, dated 08.07.2016 before publication of the results and pass appropriate orders, on merits and in accordance with law. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

6.The Writ Petition is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed. No costs.
sri

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To
The Chairman
Tamil Nadu Forest Uniformed Services
Recruitment Committee,
O/o.Principle Chief Conservator of Forest,
Panagal Building, Saidapet,Chennai - 600 015.

+ 1 cc to Mr.S.N.Kirubanandam, Advocate SR 44611
+ 1 cc to Special Govt.Pleader (Forest), SR 44619

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