

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.41856 of 2016

WMP.No.35814 of 2016

S.Ruthranayagi .. Petitioner

vs.

1.The Manager (Recruitment),
State Bank of India, LHO,
Chennai-600 006.

2.The Chief Manager (HR),
State Bank of India,
Zone II, State Bank Learning Centre,
No.20, Pycrofts Garden Road,
Nungambakkam, Chennai-600 006.

3.The Revenue Divisional Officer,
Tirupattur,
Vellore District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 and 2 to allow the petitioner to participate in the Certificate Verification for appointment to the post of Clerical Cadre as Junior Associates (Customer Support & Sales) (Reg.No.340880673) (Roll No.2400308326) under the quota reserved for Scheduled Tribe Community without insisting upon the production of the community certificate and issue posting and joining orders subject to the production of the Community Certificate as and when the Community Certificate is issued by the 3rd respondent based upon the Community Certificate already possessed by her father which was verified by the competent Committee in its Proceedings No.Ka.Ke5/28997/2001 dated 02.05.2007.

For Petitioner : Mr.S.Doraisamy

For Respondents : Mr.P.D.Audikesavalu for R1 and R2

Mr.K.Dhananjan,
Special Govt. Pleader for R3

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Mandamus directing the respondents 1 and 2 to allow the petitioner to participate in the Certificate Verification for an appointment to the post of Clerical Cadre as Junior Associates (Customer Support & Sales) (Reg.No.340880673) (Roll No.2400308326) under the quota reserved for Scheduled Tribe Community without insisting upon the production of the community certificate and issue posting and joining orders subject to the production of the Community Certificate as and when the Community Certificate is issued by the third respondent based upon the Community Certificate already possessed by her father, which was verified by the competent Committee in its Proceedings No.Ka.Ke5/28997/2001 dated 02.05.2007.

2. The petitioner belongs to "Kurumans" community which is classified as Scheduled Tribe Community and his father V.Sankaran obtained a Community Certificate from the Tahsildar, Tirupattur on 30.06.1997. The petitioner's father joined the banking service and was working in Canara Bank. His Community Certificate was referred to the District Level Vigilance Committee by his employer and the Committee along with Anthropologist conducted a thorough enquiry and filed a report dated 02.05.2007 stating that the Community Certificate dated 30.06.1997 is genuine. The petitioner's father preferred number of applications to the third respondent for issuance of Community Certificate to the petitioner and his sister Preethi and since no order was passed, he filed a writ petition in W.P.No.39690 of 2016, praying for a direction to issue Community Certificate to the petitioner and his sister. The petitioner would state that once the parents are having a valid Community Certificate, the authorities are duty bound to issue Community Certificate to their children. The second respondent Bank called for applications for the post of Clerical Cadre as Junior Associates (Customer Support & Sales) and he preferred an application on 15.04.2016 and after clearing in the preliminary and main examinations, he was selected for the said post. Thereafter, the second respondent, vide communication dated 16.11.2016, called upon the petitioner for Certificate Verification to be held on 01.12.2016 at 12.30 p.m. and he was directed to produce all the certificates including the Scheduled Tribe Community Certificate. The petitioner possess all the Certificates as required by the second respondent except the Community Certificate and because of the delay caused by the third respondent, he could not produce the Community Certificate in time. Hence, the petitioner has filed the present Writ Petition with the aforesaid prayer.

3. Heard both sides and also perused the entire materials available on record.

4. Considering the submissions made by the learned counsel appearing for the petitioner, this Court directs the respondents 1 and 2 to permit/allow the petitioner to participate in the Certificate Verification to be held on 01.12.2016 at 12.30 p.m. for appointment to the post of Clerical Cadre as Junior Associates (Customer Support & Sales) (Register Number is 340880673) (Roll Number is 2400308326) under the quota reserved for Scheduled Tribe Community, without insisting upon the production of Community Certificate. However, the petitioner is directed to produce the Community Certificate at the time of joining duty.

5. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

jvm

To

1.The Manager (Recruitment),
State Bank of India, LHO,
Chennai-600 006.

2.The Chief Manager (HR),
State Bank of India,
Zone II, State Bank Learning Centre,
No.20, Pycrofts Garden Road,
Nungambakkam, Chennai-600 006.

3.The Revenue Divisional Officer,
Tirupattur,
Vellore District.

1 cc to Mr.P.D. Audikesavalu, Advocate, Sr. 70931

1 cc to Mr.S. Doraisamy, Advocate, Sr. 16766 (8/12/2016)

W.P.No.41856 of 2016

SCD (CO)
kk 2/12