

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2016

CORAM

THE HON'BLE Mr. JUSTICE M.SATHYANARAYANAN

W.P.No. 42755 of 2016
and
WM.P.No.36679 of 2016

M.Chakkaravarthy

...Petitioner

-Vs-

1. The Secretary to Government,
Labour and Employment department,
Secretariat,
Chennai - 600 009.
2. The District Collector,
Salem District,
Salem.
3. The Director of Employment and Training,
Alandur Road,
Thiru.Vi.Ka.Industrial Estate,
Guindy,
Chennai - 600 032.
4. The District Employment Officer,
Salem,
Salem District.
5. The Chief Educational Officer,
Collectorate Campus II Floor,
Salem.

...Respondents

This petition is filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus to direct the 4th and 5th respondents to appoint the petitioner in the post of Lab Assistant or to direct the 4th respondent to sponsor the petitioner's name in any other suitable post under the preferential quota namely Inter Caste Marriage (ICM) based on the petitioner's representation dated 25.07.2016.

For Petitioner	:	Mr.M.Rajendiran
For Respondents	:	Mr.K.Dhananjeyan, Spl.G.P.

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioner claims that he belongs to Schedule Caste Community and got married to a girl by Nallammal who belongs to Most Backward community and the said marriage was also registered in the office of the Sub Registrar, Gangavalli and the registration certificate was also issued in T.K.R.No.1242/2001/B4 dated 31.01.2001. According to the petitioner, since he married out of the said caste, they are not having any touch with either of their families and due to the wedlock they have a son aged 14 years and he finds it extremely difficult to make both ends meet.

3. The grievance expressed by the petitioner is that by virtue of the intercaste marriage, he is entitled for preferential quota in the employment opportunity and he participated in the selection process for Lab Assistant during May 2015 and he is yet to be favoured with any kind of response. The petitioner has also submitted a representation to the respondents 2 and 4 and in response to the same, the 4th respondent vide communication dated 19.09.2016 in proceedings No.A3/3760/2016 called upon the petitioner to furnish the employment registration card and also the certificate evidencing the educational qualification and the petitioner submitted the same and it was also acknowledged by the respondent. In spite of it, there is no response forthcoming. Hence, the petitioner came forward to file this writ petition.

4. Learned counsel for the petitioner would submit that by virtue of the intercaste marriage, the petitioner is entitled to be accommodated under the preferential quota. Therefore, he prays for appropriate orders.

5. This Court heard the submission of the learned counsel for the petitioner and Mr.J.Dhananjeyan, learned Special Government Pleader who accepts notice on behalf of the respondents.

6. Though the petitioner prays for a large relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner in the representation or in the writ petition, directs the 4th respondent to consider and dispose of the petitioner's representation dated 25.07.2016 on merits and in accordance with law and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate

the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. 1. The Secretary to Government,
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Chennai - 600 009.
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Salem.
3. The Director of Employment and Training,
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4. The District Employment Officer,
Salem,
Salem District.
5. The Chief Educational Officer,
Collectorate Campus II Floor, '
Salem.

+1cc to Mr.M.Rajendiran, Advocate, S.R.No.71901/16
+1cc to the Government Pleader, S.R.No.72222/16

sr
cg(30/12/2016)

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