

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.5919 of 2016

Tamil Nadu Sericulture Staff of Association
(Reg.No.46 of 2012)
rep by its General Secretary
No.137/84, Sidhabagar Amarrar L.Durairaj
Manila Mayyam, Salem .. Petitioner

-vs-

1. The Secretary to Government
Handlooms, Handicrafts, Textiles
and Khadi Department
Fort St.George
Chennai 600 009
2. The Director of Sericulture
Anaimeedu
Salem-1 .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records of the second respondent herein in Advertisement No.01 of 2016 dated 13.01.2016 notifying the vacancies for the post of Junior Inspector of Sericulture and Assistant Inspector of Sericulture, quash the same and consequently direct the respondents herein to fill up the post of Junior Inspector of Sericulture and Assistant Inspector of Sericulture in accordance with the rules framed under Article 309 of the Constitution of India.

For Petitioner :: Mrs.Dhakshayani Reddy for
Mr.Mukund R.Pandiyan

For Respondents :: Mrs.A.Srijayanthi
Special Government Pleader

ORDER

The present writ petition has been filed by the General Secretary of the Tamil Nadu Sericulture Staff Association (Reg.No.46 of 2012) challenging the Advertisement No.01 of 2016 dated 13.1.2016 notifying the vacancies for the post of Junior Inspector of Sericulture and Assistant Inspector of Sericulture, to quash the same with a consequential direction to the

respondents to fill up the post of Junior Inspector of Sericulture and Assistant Inspector of Sericulture in accordance with the rules framed under Article 309 of the Constitution of India.

2. Mrs.Dhakshayani Reddy, learned counsel for the petitioner contended that the impugned advertisement indicates only the non-transparent method of selection, because the method of selection indicated in the advertisement is not in accordance with the service rules. Adding further, she submitted that the Deputy Director of Sericulture Mrs.B.Arulmani Nirmala is also going to be in the selection panel, which is not legally sustainable, since her son is also going to take part in the selection process as an eligible candidate, because he had already applied for the post. She also submitted that one of the private institutes by name Ravi Silk Farm had issued several experience certificates to various candidates. When it is not an approved institute by the Sericulture department of the Government of Tamil Nadu, on the basis of the bogus certificates issued by the said Ravi Silk Farm, several candidates, after receiving the bogus experience certificates, are going to take part. In order to demonstrate that the said Ravi Silk Farm is not an approved Sericulture institute, she further submitted that the Proprietor of Ravi Silk Farm has also given a letter stating that many candidates have obtained the certificates without working in the said Sericulture farm. She has also produced a copy of the letter dated Nil. On this basis she further submitted that if the selection process with the aforementioned vices are permitted to take place, this would cause great prejudice to the public and also to the Sericulture department. Therefore, the impugned advertisement should be stayed, she pleaded.

3. In reply, Mrs.A.Srijayanthi, learned Special Government Pleader for the respondents submitted that the Deputy Director of Sericulture Mrs.B.Arulmani Nirmala, as alleged by the learned counsel for the petitioner, is going to be one of the members of the selection committee, is not correct, because she has already been removed from the selection committee. Answering the second contention that Ravi Silk Farm had issued bogus experience certificates, the learned Special Government Pleader further submitted that as on today the said Ravi Silk Farm has not been approved by the Sericulture department of the Government of Tamil Nadu. Therefore the certificates, if any, issued by the Proprietor of the said Ravi Silk Farm would not be accepted by the selection committee, since the selection committee is going to proceed transparently in accordance with the rules and regulations.

4. This Court finds merits in the submissions made by the learned Special Government Pleader for the respondents. This apart, the petitioner has come to this Court so belatedly. In fact, when the advertisement was issued on 13.1.2016 fixing the last date for submission of the applications on 28.1.2016, the written examination was already over on 7.2.2016. Therefore, at this juncture, being the last hour rush, this Court is not

inclined to entertain the present writ petition, as it is, in my considered view, bereft of any merits. Accordingly, the writ petition fails and it is dismissed. Consequently, W.M.P.Nos.5278 & 5279 of 2016 are also dismissed. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

ss

To

1. The Secretary to Government
Handlooms, Handicrafts, Textiles
and Khadi Department
Fort St.George
Chennai 600 009

2. The Director of Sericulture
Anaimeedu
Salem-1

1 cc to Mr. Mukund R. Pandian, Advocate, sr. 10462
1 cc to Government Pleader, sr. 11407

W.P.No.5919 of 2016

GR (CO)
kk 4/3

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