

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2017

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.9048 of 2017

V.Jayasutha

.. Petitioner

Vs

1.The State of Tamil Nadu,
Rep. By its Principal Secretary to Government,
School Education Department,
Fort St. George,
Secretariat, Chennai - 9.

2.The Director of School Education,
DPI Campus,
College Road, Chennai - 6.

3.The Chief Educational Officer,
Villupuram District,
Villupuram.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the third respondent to consider the candidature of the petitioner for the post of Lab Assistant for the recruitment 2015, as per the notification dated 22.04.2015 issued by the third respondent and pass such further orders.

For petitioner : Mr.R.Gobika

For Respondents : Mr.K.Venkataramani, AAG

Assist. By Mr.P.Sanjaygandhi, AGP

O R D E R

By way of filing this writ petition, the petitioner seeks a direction to the third respondent / the Chief Educational Officer, Villupuram District, to consider her candidature for the post of Lab Assistant as per the Notification dated 22.04.2015 issued by the third respondent.

2. Heard both sides.

3. It is the claim of the petitioner that the third respondent issued a Notification dated 22.04.2015 calling for applications for direct recruitment to the post of Lab Assistant in High School and Higher Secondary School under RMSA Scheme. Subsequently, the petitioner, having completed her Under Graduate degree in B.A. in the year 2013, applied for the said post and thereafter, she has also appeared for the written test held on 31.05.2015. On 21.03.2017, the third respondent published the merit list in the official website and the petitioner has secured 59 marks and she was placed at Sl.No.8744. However, she was not called for certificate verification.

4. It is stated by the learned counsel for the petitioner that since her father was a retired Army Officer, she would come under the category of SC (Ex-servicemen), however, the third respondent did not call her for certificate verification, although similarly placed persons having secured lesser marks than the petitioner were called for the certificate verification. Therefore, she made a representation dated 05.04.2017 to the third respondent requesting them to include her name as she is also eligible for the said post. However, the same was not considered. Thus, the present writ petition with a prayer cited supra.

5. In reply, learned Additional Advocate General appearing for the respondents submitted that the petitioner cannot come under the category of SC (Ex-servicemen), as she is only a daughter of the Ex-servicemen, not the Ex-servicemen, therefore, she is not eligible to claim that category.

6. This Court is also able to see from the Notification published by the respondent, wherein it is stated only the Ex-serviceman under the priority category, not the dependents of Ex-serviceman. Therefore, although the petitioner, being unmarried daughter of Ex-serviceman, is not entitled to apply under the SC (Ex-serviceman) category. On this score, the writ petition fails and the same is dismissed. No Costs. Consequently, connected miscellaneous petitions are closed.

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-s/d-

Assistant Registrar(CSII)

True Copy

Sub-Assistant Registrar

rkm

To

1.The Principal Secretary to Government,
School Education Department,
Fort St. George,
Secretariat, Chennai - 9.

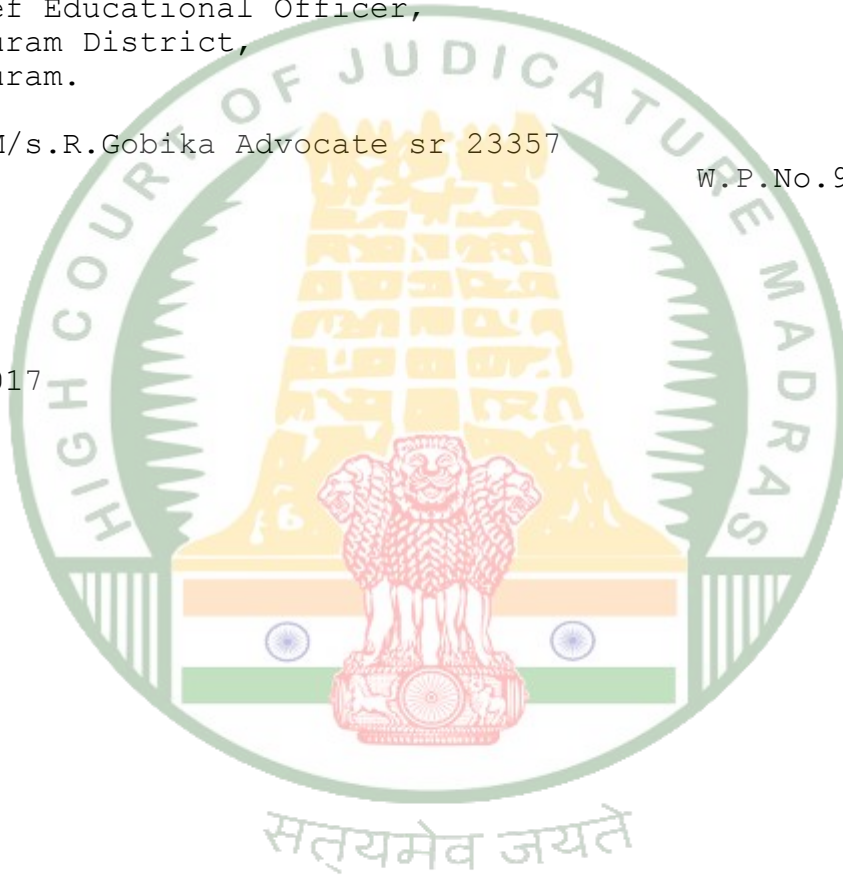
2.The Director of School Education,
DPI Campus,
College Road, Chennai - 6.

3.The Chief Educational Officer,
Villupuram District,
Villupuram.

+1 cc to M/s.R.Gobika Advocate sr 23357

W.P.No.9048 of 2017

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