

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **09.10.2017**

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.5367 of 2014 &

M.P.Nos. 1 & 2 of 2014

1. S.JAYARANI

2 P. CHELLAMUTHU

[PETITIONERS-]

Vs

1 THE TAMILNADU AGRICULTURAL UNIVERSITY
COIMBATORE 641 003
REP BY ITS REGISTRAR

2 THE STATE OF TAMILNADU
REP BY ITS SECRETARY TO GOVERNMENT
PERSONNEL AND ADMINISTRATIVE REFORMS DEPARTMENT
FORT ST. GEORGE
CHENNAI 600 009.

[RESPONDENTS]

PRAYER : Petition filed under Article 226 of the Constitution of India to issue of Writ of Certiorari, to call for the records relating to the notification dated 18.12.2013 issued by the first respondent in Advertisement No. R3/01/ (regular vacancies) /2013 (revised) in so far as the discipline Tamil alone is concerned quash the same and direct the first respondent to issue a fresh notification for the discipline Tamil by ear -marking the only available vacant post for GT by following the 200 point roster system.

For Petitioner : Mr.K.Rajasekaran

For Respondents : Mr.Abdul Saleem- R1

Mr.A.Raja Perumal - R2
Additional Govt.Pleader

ORDER

The Notification dated 18.12.2013, is sought to be challenged in this Writ Petition and to direct the first respondent to issue a fresh Notification for the discipline Tamil by ear-marking the only available vacant post of GT by following the 200 point roster system.

2.The learned counsel appearing for the writ petitioners made a submission that the Notification issued by the first respondent has not been properly issued and the first respondent ought to have issued the same by earmarking the only available vacant post of GT by following the 200 point roster system and thus the Notification issued by the first respondent is infirm.

3.The learned counsel appearing for the respondents relying on the counter affidavit filed by the respondents in this regard has stated that the writ petitioners are the candidates, and the Notification was issued as per the Roster system prescribed in the Recruitment Rules and the writ petitioners cannot ask the respondents to follow the 200 Point Roster system, without having any Rules in this regard. In

other words, the claim of the writ petitioners have not been supported by any Rules in force.

4. In paragraph No.7 of the counter affidavit, it has been stated that the Notification dated 18.12.2013, was issued adhering to the discipline-wise Roaster system following the Rules and Regulations applicable in issuance of such Recruitment Notifications. In this regard, the Government also issued G.O.Ms.No.65 P & AR Department dated 27.05.2009, in respect of the Rule of Reservation and the same has to be scrupulously followed in the Notification and in the subsequent selection process.

5. The selection Notification cannot be challenged at the whims and fancies of the candidates. The Notification for selection can be challenged only on exceptional circumstances, viz. if there is any violation of statutory provisions or if there are any mal-practices in issuance of such notification. In the absence of any such legal grounds, the notification issued in consonance with the Rules in force, cannot be questioned nor any such writ can be issued against the said Notification.

6. In the case on hand, the writ petitioners are unable to establish that their claim for implementing 200 point Roaster system is not traceable under any law or in the Recruitment Rules. In the absence of any such Rules in force, the writ petitioners cannot seek any direction from this Court to implement the 200 point Roaster system as per their suggestion and to suit their convenience. Such a writ petition is totally unsustainable and this Court cannot consider the prayer as such sought for in this Writ Petition.

Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

09.10.2017

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To

- 1 THE TAMILNADU AGRICULTURAL UNIVERSITY
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S.M.SUBRAMANIAM,J.

Rpa



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