

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10695 of 2017
and
W.M.P.No.11644 of 2017

P.Aravindakumar

... Petitioner

v.

1. Tamil Nadu Electricity Board (TNEB),
Rep by the Chairman / Managing Director,
NPKRR Maaligai,
No-144, Anna Salai,
Chennai- 600 002.

2. The Chief Engineer/Recruitment,
Tamil Nadu Electricity Board (TNEB),
NPKRR Maaligai,
No-144, Anna Salai,
Chennai- 600 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus, directing the respondents to consider the petitioner's representation dated 17.04.2017 by treating the petitioner as SC-Ex-serviceman candidate for selection for the post of Technical Assistant-Electrical in the Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO) vide Notification No.1/2016 dated 28.02.2016 issued by the 2nd respondent and declare the petitioner as selected for the interview to be held for the said post and pass such or further orders as this Court may deem fit and proper and thus render justice.

For Petitioner : Mr.R.Iyappan

For Respondents : Mrs.R.Varalakshmi

ORDER

This writ petition has been filed by the petitioner seeking a writ of mandamus directing the respondents to consider the petitioner's representation dated 17.04.2017 by treating him as SC-Ex-serviceman candidate for selection for the post of Technical Assistant-Electrical in the Tamil Nadu Generation and Distribution Corporation Limited (TANGEDCO) vide Notification

No.1/2016 dated 28.02.2016 issued by the second respondent and declare the petitioner as selected for the interview to be held for the said post.

2. According to the petitioner, he belongs to a Scheduled Caste Hindu-Adi-Dravidar community. The petitioner's father was an Ex-service man. The second respondent vide Notification No.1/2016 dated 28.02.2016, has invited applications for filling up vacancies for the post of Technical Assistant-Electrical in the TamilNadu Generation and Distribution Corporation Limited (TANGEDCO). The petitioner applied for the said post. He took part in the examination and secured 3.9 marks. After publication of marks through online, the petitioner came to know that for the SC-Ex-Serviceman category the cut-off mark is (-) 3.44. By an oversight, while applying through online, the petitioner has not mentioned that he belongs to SC-Ex-Serviceman category. Only after then, the petitioner realised the said mistake. Hence, to rectify the said mistake, the petitioner has made a representation dated 17.04.2017 to the second respondent. Since, the same has not been so far considered, the petitioner is before this Court with this writ petition.

3. Mrs. R. Varalakshmi, learned Standing Counsel appearing for the respondents would submit that the written examination for the said post was over; marks published; date of interview also announced and the selection process has been in progress. At this stage, the petitioner cannot plead ignorance and if this Court has come to the conclusion to give any direction to the respondents, it will affect the entire selection process for the said post and also it will cause serious prejudice not only to the respondents but also to the selected candidates.

4. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents.

5. Admittedly, the petitioner has applied for the post of Technical Assistant - Electrical; attended the written examination and secured 3.9 marks. He belongs to SC-Ex.serviceman category. However, he forgot to mention the same in the application while applying through online. He has applied under SC category instead of SC-Ex servicemen candidate, hence, he has been treated as SC candidate. The cut off marks for SC-Ex serviceman is (-) 3.44 whereas for the SC General Non-Priority category is 21.88 out of 100 marks. Now the petitioner has secured 3.9 marks, therefore, a direction is sought for to consider him under SC - Ex serviceman category. For the mistake committed by the petitioner, this Court cannot issue any direction to the respondents to consider his representation, in this regard. If it is done, it will affect the entire selection process. Hence, this Court is not inclined to entertain this writ petition.

6.In the result, the writ petition is dismissed. No costs.
Consequently, connected miscellaneous petition is closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

Jbm

To

1. Tamil Nadu Electricity Board (TNEB),
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Chennai- 600 002.

2. The Chief Engineer/Recruitment,
Tamil Nadu Electricity Board (TNEB),
NPKRR Maaligai,
No-144, Anna Salai,
Chennai- 600 002.

+1cc to Mr.R.Iyappan, Advocate in Sr.No.25579

+1cc to M/S.R.Varalaxmi, Advocate in Sr.No.25581

W.P.No.10695 of 2017
and

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NR(15/06/2017)

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