

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.4592 of 2017

A.Badhula

..Petitioner

Vs

1. The Chief Secretary,
Higher Education,
Government of Tamil Nadu,
Fort St.George, Chennai.
2. The Director of Backward
Classes Welfare,
Government of Tamil Nadu,
Ezhilagam, Chennai.
3. The Registrar and Co-ordinator,
TNSET - 2016 Exmainations
Tamil Nadu Mother Theresa
Womens' University,
Kodaikanal, Dindigul District. ...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to consider the representation dated 31.01.2016 given by the petitioner.

For Petitioner : Mr.R.Gururaj

For Respondent: Mr.P.Chinnadurai,
Government Advocate for R1 and R2
Mr.P.Sanjai Gandhi,
Additional Government Pleader
for R3

O R D E R

By consent, the writ petition is taken up for final disposal. Mr.P.Chinnadurai, learned Government Advocate accepts notice on behalf of 1st and 2nd respondents and Mr.P.Sanjai Gandhi, learned Additional Government Pleader accepts notice on behalf of the 3rd respondent.

2. The petitioner, had studied M.A., M.Phil., in Economics and she had participated in the Tamil Nadu State Eligibility Test conducted by the 3rd respondent under

Registration No.1401943 and Application No.144477. The petitioner would aver that in the OMR sheets (Optical Mark Register) supplied, she has marked Backward Class Muslim, however, there was no provision in the original application to mark the category Backward Class Muslim under Other Backward Class category and since it is an online application, the petitioner cannot add anything. The petitioner had secured 204 marks as against the cut off marks of 197 for Backward Class Muslim category and 202 marks for Other Backward Class category and despite that, she has been declared as failed, taking into consideration as such, she belongs to General Category. It is the claim of the petitioner that she has already worked as Guest Lecturer in the College at Villupuram for 3 1/2 years and for the past 4 years, she is working in the Government Arts College at Cuddalore. In this regard, she had submitted a representation dated 27.12.2016 to the Commissioner, Backward Classes Welfare, Chepauk, Chennai, who, in turn, forwarded the same to the 2nd respondent on 09.02.2017 vide Lr.No.D3/8071/2016. Since it is not favoured with any kind of response, she came forward to file this writ petition.

Heard the submission of Mr.P.Chinnadurai, learned Government Advocate appearing for the 1st and 2nd respondents and Mr.P.Sanjai Gandhi, learned Additional Government Pleader appearing for the 3rd respondent.

This Court, taking into consideration the limited scope of the prayer sought for by the petitioner, directs the 3rd respondent to act on the communication sent by the Commissioner, Backward Classes Welfare, Chepauk, Chennai, bearing Lr.No.D3/8071/2016 dated 09.02.2017 and consider the claim of the petitioner on merits and in accordance with law and pass orders within a period of four 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.

सत्यमेव जयते

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Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Chief Secretary,
Higher Education,
Government of Tamil Nadu,
Fort St. George,
Chennai.

2. The Director of Backward
Classes Welfare,
Government of Tamil Nadu,
Ezhilagam, Chennai.

3. The Registrar and Co-ordinator,
TNSET - 2016 Examinations
Tamil Nadu Mother Theresa
Womens' University,
Kodaikanal,
Dindigul District.

+ 1 cc to M/s. Gururaj, Advocate SR.12029
+ 1 cc to Government Pleader SR.12125

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RSI (CO)
EU 14.3.17



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