

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2017

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.A.No.1708 of 2017

K.Savitha

... Appellant

Versus

1. The Secretary,
Co-operative Department,
Government of Tamilnadu,
Fort St. George, Secretariat,
Chennai 600 009.
 2. The Joint Registrar of Co-op. Societies
O/o. the Co-operative Societies Joint Registrar,
Beach Road, Cuddalore.
 3. The Manager,
District Recruitment Bureau for Co-operatives,
Head Office, Cuddalore.
- ... Respondents

Prayer: Writ Appeal filed filed under Clause 15 of the Letters Patent against the order dated 2.6.2017 passed in W.P.No.12106 of 2017 on the file of this court.

Prayer WP.12106 of 2017 : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for records pertaining to the proceedings Na.Ka.106/2015 Po Vi Thi dated 28.05.2015 passed by the 2nd respondent herein an to quash the same and consequently to direct the 2nd respondent to provide the job of sales person to the petitioner in any of the establishments of the co-operative departments fixing a time limit for the same on the basis of the interview conducted for the post and the genuine representation dated 4.12.2014 submitted to the respondents.

For appellant : Mr.M.Kempuraj

For respondents : Mr.L.P.Shanmugasundaram,
Special Government Pleader

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel appearing for the parties.

2. The writ appeal has been filed challenging the order passed by the learned Single Judge dismissing the writ petition seeking to quash the order impugned in the writ petition and direct the second respondent to provide the job of sales person to the writ petitioner.

3. The operative portion of the order passed by the learned Single Judge reads thus:-

"4. The above submission of the learned counsel for the petitioner cannot be accepted by this Court for the reason that when the petitioner took part in the interview conducted by the Manager, District Recruitment Bureau for Cooperatives, Cuddalore alongwith other candidates, she secured only 42 marks, on the other hand, the last candidate under MBC quota secured 670 marks. Therefore, citing the reason that the petitioner secured only 42 marks, there is no question for asking the second respondent to select and appoint her for the post of sales person.

5. It is seen that W.P.No.812 of 2015 was dismissed by this court on 19.3.2015. However, accepting the request of the petitioner that there are still vacancies to be filled up, a direction was issued to the respondents to consider the case of the petitioner. But, once again the petitioner has to face the selection process. Therefore, till date, there is no notification, if any, such notification is issued, the petitioner shall work out her remedy in the manner known to law. Hence, the present Writ Petition cannot be entertained, the same fails and is dismissed. ..."

4. In view of the relief sought for by the appellant/writ petitioner and order passed by the learned Single Judge, we do not find any reason to entertain the writ appeal. Accordingly, it is dismissed. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ssk

To:

1. The Secretary,
Co-operative Department,
Government of Tamilnadu,
Fort St. George, Secretariat,
Chennai 600 009.
2. The Joint Registrar of Co-op. Societies
O/o. the Co-operative Societies Joint Registrar,
Beach Road, Cuddalore.
3. The Manager,
District Recruitment Bureau for Co-operatives,
Head Office, Cuddalore.

+1cc to Mr.M.Kempuraj, Advocate, S.R.No.91399

+1cc to the Government Pleader, S.R.No.91955

W.A.No.1708 of 2017

KGK(CO)
RRK(06/02/2018)

सत्यमेव जयते

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