

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.8923 of 2014  
and  
M.P.No.1 and 2 of 2014

G.Arun

.. Petitioner

Vs.

- 1.The Secretary to the Government,  
Personnel and Administrative Reforms(K) Department,  
Fort St.George,  
Chennai-9.
  - 2.The Chief Engineer ( Personnel),  
Tamil Nadu Generation and Distribution Corporation Limited,  
Chennai-2.
  - 3.The Superintending Engineer,  
Thanjavur Electricity Distribution Circle,  
TANGEDCO,  
No.1 Vallam Road,  
Thanjavur.
  - 4.The Superintending Engineer,  
Nagai Electricity Distribution Circle,  
TANGEDCO,  
Nagapattinam,  
Nagapattinam District.
- .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records in relates to the selection list issued by the respondents for 829 numbers of Technical Assistant ( Electrical) by direct recruitment for the year 2013-2014 and quash the same and consequently direct the respondents to appoint the petitioner in the post of Technical Assistant (Electrical) in the service of Tamil Nadu Electricity Board for the year 2013-2014.

For Petitioner : Mr.V.Kasinatha Bharathi

For Respondents : Mr.R.Vijaya Kumar for R1  
Additional Government Pleader

: Mrs.R.Varalakshmi for RR2 to 4

O R D E R

The relief sought for in this writ petition is to call for the records in relation to the selection list issued by the respondents for 829 numbers of Technical Assistant (Electrical) by direct recruitment for the year 2013-2014 and quash the same and consequently direct the respondents to appoint the petitioner.

2.The learned counsel appearing on behalf of the respondents brought to the notice of this Court that the writ petitioner has not secured the required cut off marks and not within the zone of consideration for selection. Thus, the writ petition deserves to be rejected. In this regard the marks obtained by the writ petitioner has been stated in para 11 of the counter affidavit filed on behalf of the respondents and the same is extracted here under:

"I respectfully submit that the cut off marks for the post of Technical Assistant/Electrical in respect of BCO(Non priority) EEE is 74.04 whereas the petitioner has secured only 60.19 as detailed below. Hence he has not reached the zone of selection.

1.Qualifying examination mark

|              |   |       |
|--------------|---|-------|
| (i) For 100% | - | 63.75 |
| (ii) For 85% | - | 54.19 |

|                                |   |      |
|--------------------------------|---|------|
| 2. For viva voce interview 15% | - | 6.00 |
|--------------------------------|---|------|

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|  |   |       |
|--|---|-------|
|  | - | 60.19 |
|--|---|-------|

-----"

3.In view of the fact that the writ petitioner is not within the zone of consideration, the relief as such sought for to appoint the writ petitioner to the post of Technical Assistant (Electrical) cannot be considered.

4.This apart the writ petitioner has not included all the necessary parties viz., the selected candidates. Further, the process of selection has not challenged, based on any legal grounds. The Process of selection can be challenged only if there are certain illegalities, mal practice or corrupt practice. In the absence of any such grounds no writ can be entertained against the process of selection nor the relief of direction to appoint the petitioner can be granted. Thus, the writ petitioner has not established any legal right, so as to consider his claim for appointment to the post of Technical Assistant (Electrical).

5.Accordingly, the writ petition stands dismissed. Consequently, the connected miscellaneous petitions are closed. However, there shall be no order as to costs.

Sd/-  
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

stm/ah  
To

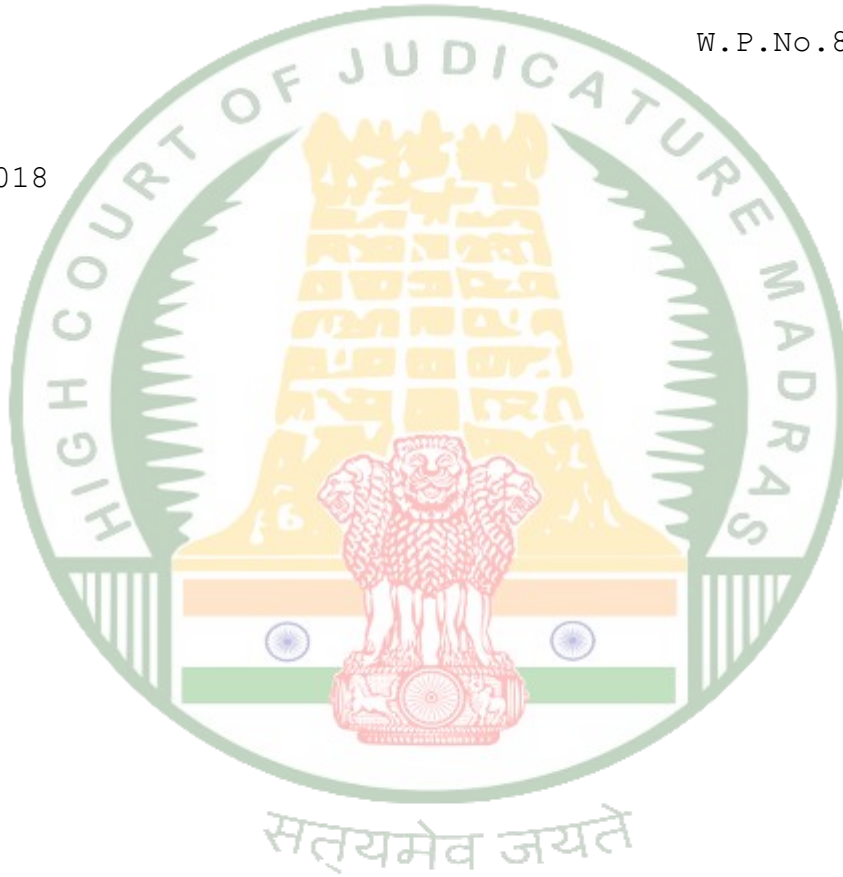
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Nagapattinam District.

+1 cc to M/s.V.Kasinatha Bharathi Advocate sr 90984  
+1 cc to M/s.R.Varalakshmi Advocate sr 91594  
+1 cc to Govt Pleader sr 91480

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