

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.06.2017

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P. No.12106 of 2017
& W.M.P.No.12965 of 2017

K.Savitha .. Petitioner
Vs.

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

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the proceedings Na.Ka.106/2015 Po Vi Thi, dated 28.05.2015 passed by the second respondent herein and to quash the same and consequently to direct the second 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 04.12.2014 submitted to the respondents.

For Petitioner : Mr.M.Kempraj

For Respondents : Mr.L.P.Shanmugasundaram
Special Government Pleader [Co-op]

O R D E R

By consent, this Writ Petition is taken up and disposed of at the stage of admission itself.

2. The Writ Petition has been filed challenging the impugned order passed by the Joint Registrar of Co-operative Societies, Cuddalore, in and by which, it is made clear that the petitioner's request for her appointment was already considered by this Court in W.P.No.812 of 2015 and subsequently, in the order passed by this Court in Cont.P.No.471 of 2016 dated 11.11.2016. Therefore, the request for appointment of the petitioner as sales person cannot be considered.

3. Learned counsel appearing for the petitioner would submit that the petitioner filed an application under Right to Information Act, 2005 to find out the number of vacancies available for the post of Sales Person. In reply, it was specifically mentioned that there are 51 vacancies for the post of sales persons are vacant. Therefore, the petitioner should have been considered for one of the post.

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 along with other candidates, she secured only 42 marks, on the other hand, the last candidate under MBC quota secured 70 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 19.03.2015. 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. Consequently, connected Miscellaneous Petition is closed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

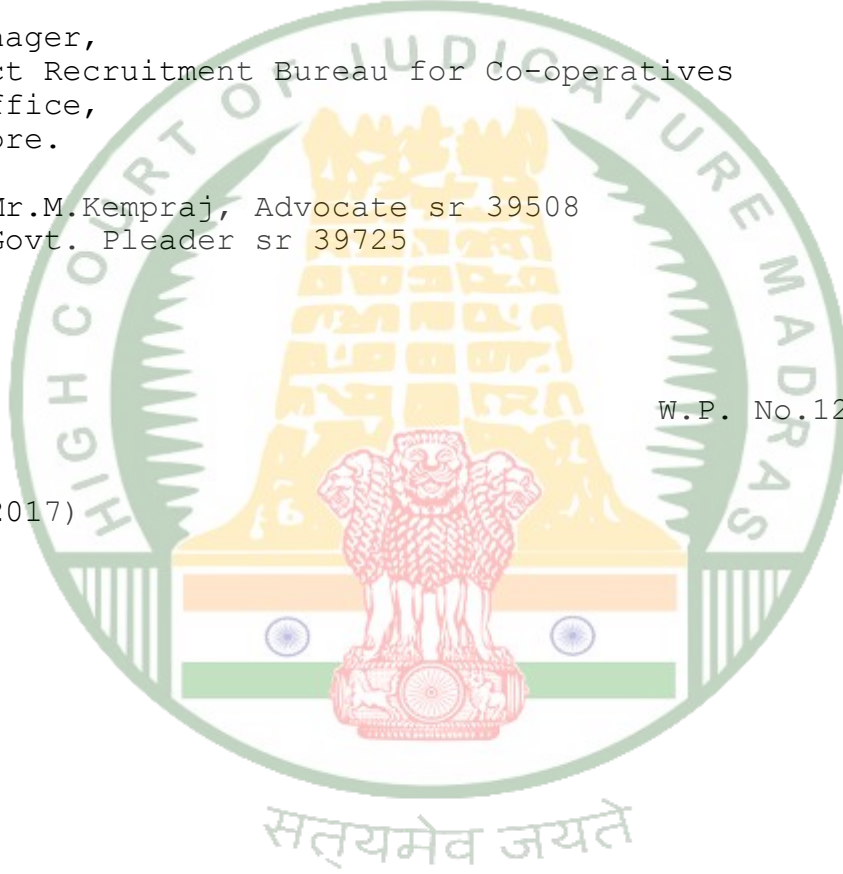
To

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+1 CC to Mr.M.Kempuraj, Advocate sr 39508
+1 CC to Govt. Pleader sr 39725

W.P. No.12106 of 2017

PVS (CO)
sp(04/07/2017)



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