

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2017

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.32434 of 2017

V.Karthikeyan

.. Petitioner

Vs

1.The Chief Educational Officer,
Cuddalore District,
Cuddalore.

2.The District Educational Officer,
Virudhachalam.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the respondents to consider and appoint the petitioner as Lab Assistant in any of the existing vacancy earmarked for MBC-PWD-PSTM, pursuant to the Notification made in Na.Ka.No.2770/A1/2015, dated 22.04.2015 of the first respondent forthwith and to extend all the consequential benefits, both service and monetary, from the date on which other similarly placed persons came to be appointed.

For petitioner : Mr.L.Chandrakumar

For Respondents: Mr.V.Jayaprakash Narayanan, Spl.GP

O R D E R

The petitioner has filed this writ petition seeking for issuance of a writ of mandamus to direct the respondents to consider and appoint him as Lab Assistant in any of the existing vacancies earmarked for MBC-PWD-PSTM category, pursuant to the Notification made in Na.Ka.No.2770/A1/2015, dated 22.04.2015 of the first respondent and to extend all the consequential benefits, both service and monetary, from the date on which other similarly placed persons came to be appointed.

2. Heard Mr.L.Chandrakumar, learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader, who accepts notice for the respondents.

3. The petitioner belongs to MBC category and he is also physically handicapped person with 70% disability. In the written examination held for the post of Lab Assistant, he secured 92 marks and he was placed at C.V.No.552 under the MBC-PWD-PSTM category. However, under the priority category, he was placed at Sl.No.7. Therefore, it is averred that since the candidates pertaining to Sl.Nos.3, 4 and 5 did not come forward to join the services, the name of the petitioner should be included for the post of Lab Assistant as there are five vacancies available for the said post under the priority category. Thus, he pleaded, a direction may be given to consider the claim of the petitioner for appointment to the said post.

4. Learned Special Government Pleader for the respondents submitted that if the petitioner comes within the zone of consideration and if the candidates above the petitioner fail to join the services, then the claim of the petitioner would be considered.

5. Recording the above said submission of the learned Special Government Pleader, this Court hereby directs the respondents to consider the claim of the petitioner and do the needful within a period of four weeks from the date of receipt of a copy of this order. With this direction, the writ petition is disposed of. No Costs. WMP.No.35721 of 2017 is closed.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

rkm

To

1.The Chief Educational Officer,
Cuddalore District,
Cuddalore.

2.The District Educational Officer,
Virudhachalam.

+ 1 cc to Mr.L.Chandrakumar Advocate,SR.88859
+ 1 cc to The Govt.Pleader, SR.89687

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nr 05/01/2018