

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2017

CORAM :

THE HONOURABLE MR. JUSTICE T.RAJA

W.P. No.14278 of 2017
and
W.M.P. No.15472 of 2017

S. Somasundaram

... Petitioner

Vs.

1. Principal Secretary to Government of Tamil Nadu
Department of School Education
Fort St. George,
Chennai - 600 009.
2. The Director of School Education,
DPI Campus,
College Road,
Chennai - 600 006.
3. The Chief Educational Officer,
Thiruvannamalai,
Thiruvannamalai District.

.... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue Writ of Mandamus directing the respondents to consider the petitioner's candidature for the post of Lab Assistant as per the Notification dated 22.04.2015 and permit the petitioner to attend the certificate verification for the post of Lab Assistant forthwith.

For Petitioner : Mr. N. Theena Dayalan

For Respondents : Mr. P. Sanjay Gandhi, AGP

O R D E R

The petitioner, claiming priority as a Tamil medium Backward Class candidate, having secured 38 marks, has come to this Court making a complaint that when the respondents have selected several candidates with lesser marks than the one secured by the

petitioner, the respondents cannot deny her invitation to take part in the certificate verification. In support of his submission, referring to page No.59 of typed set, it was brought to the notice of this Court that one Sudha.D with registration No.29206705 belonging to BC-Destitute Widow-PSTM category was selected, although she had secured only 34 marks.

2. But, it has been readily replied by the learned Additional Government Pleader for the respondents that the contention of the petitioner is wholly misconceived, since the said Sudha.D with Registration No.29206705 being destitute widow belonging to BC category, coming under the priority category, was invited to take part in the certificate verification having secured 34 marks. Since the cut-off mark for PSTM-BC category is 95, the petitioner, having secured less than 50% of the mark, is not even coming within the zone of consideration.

3. I fully agree with the submissions made by the learned Additional Government Pleader for the respondents. The reason is that the petitioner cannot compare his candidature with a priority candidate viz., D.Sudha, who is a destitute widow and also the cut-off mark for destitute widow BC is 30. Hence the petitioner cannot press his prayer. Secondly, the selection process is already over. Therefore the petitioner, having come to this Court belatedly, has to be held guilty of laches. Hence the writ petition is dismissed. Consequently, connected WMP is also dismissed. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

To

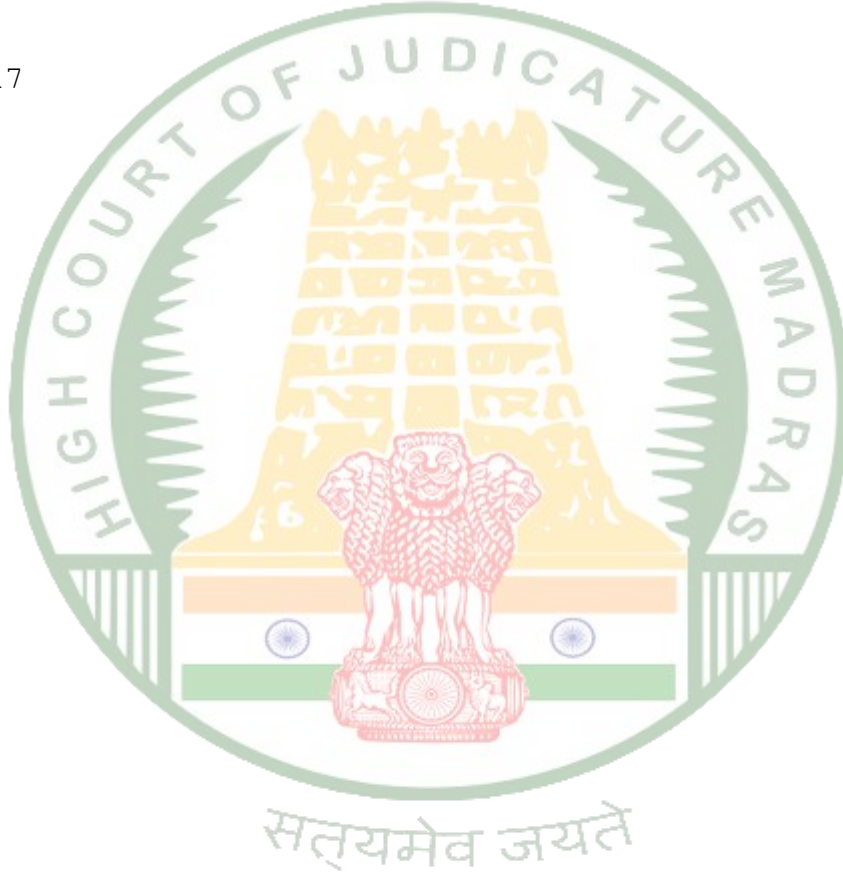
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+1cc to the Government Pleader, S.R.No.41006

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KK (CO)
CS/28/06/17



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