

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 14.12.2017  
CORAM  
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM  
W.P.No.32284 of 2012

U.Nandakumar

.. Petitioner

Vs

1.The Chairman,  
Tamil Nadu Electricity Board / TANGEDCO,  
No.800, Anna Salai, Chennai - 600 002.

2.The Chief Engineer / Personnel,  
TANGEDCO/Head Quarters,  
No.144, Anna Salai,  
Chennai - 600 002.

3.The Assistant Director,  
Professional and Executive Employment Office,  
Santhome High Road,  
Chennai - 600 004.

4.S.Arun

5.C.Deepak Kumar

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records connected with the impugned selection list of 410 - EEE Assistant Engineers by direct Recruitment 2012 by the 2<sup>nd</sup> respondent published on 06.07.2012 and quash the same and consequently, direct the 2<sup>nd</sup> respondent to appoint the petitioner in the post of Assistant Engineer (Electrical and Electronics Engineering) in the present recruitment under SC Non Priority Category forthwith.

For Petitioner : Mr.G.Jayachandran

For Respondents : Mrs.R.Varalakshmi, for R1 to R3

O R D E R

The selection list of 410-EEE Assistant Engineers by direct recruitment for the year 2012 dated 06.07.2012 issued by the second respondent is sought to be quashed in this writ petition. A consequential direction is also sought for to appoint the petitioner in the post of Assistant Engineer (Electrical and

Electronics Engineering) in the present recruitment under SC Non Priority Category forthwith.

2. The writ petitioner has challenged the selection list as a whole on various grounds. It is brought to the notice of this Court that the cut off marks for the post of Assistant Engineer / Electrical in respect of SC (EEE Branch) General (Non-Priority) on merit is 69.93% ; whereas the petitioner had secured only 69.15% marks. Hence, the petitioner had not reached the zone of selection on merit.

3. This apart, the details of the marks obtained by the writ petitioner is that the qualifying examination marks for 100 %, the petitioner secured 79, for 85 % the petitioner secured 67.15, for viva-voce interview 15% the petitioner secured 2, in total the writ petitioner has secured 69.15 marks in the selection process. When the writ petitioner has not coming within the zone of consideration for selection.

4. An appointment can never be claimed as a matter of right, so also the selection process. The selection can be challenged only on the limited grounds of malpractices, illegality, in violation of statutory Rules or in corrupt practices are found during the process of selection. In the absence of any one of this legal grounds, the selection list cannot be interfered by the High Court under Article 226 of Constitution of India. This being the legal principles to be followed when a writ petition is filed challenging the selection process, the writ petitioner has not secured the required cut off marks and not coming within the zone of consideration for selection. This Court is not inclined to consider the grounds raised in this writ petition.

5. The learned counsel appearing for the writ petitioner has urged this Court by stating that many persons have been selected on the basis of recommendations from the Ministers of the ruling party. The same was published in the vernacular newspapers also. However, such unsubstantiated bald allegations, which are claimed, cannot be considered by this Court in the absence of any incriminating evidence.

6. Thus, no further adjudication is required in this writ petition. Accordingly, the writ petition stands dismissed. No costs.

Sd/-  
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

ms

To

1.The Chairman,  
Tamil Nadu Electricity Board / TANGEDCO,  
No.800, Anna Salai, Chennai - 600 002.

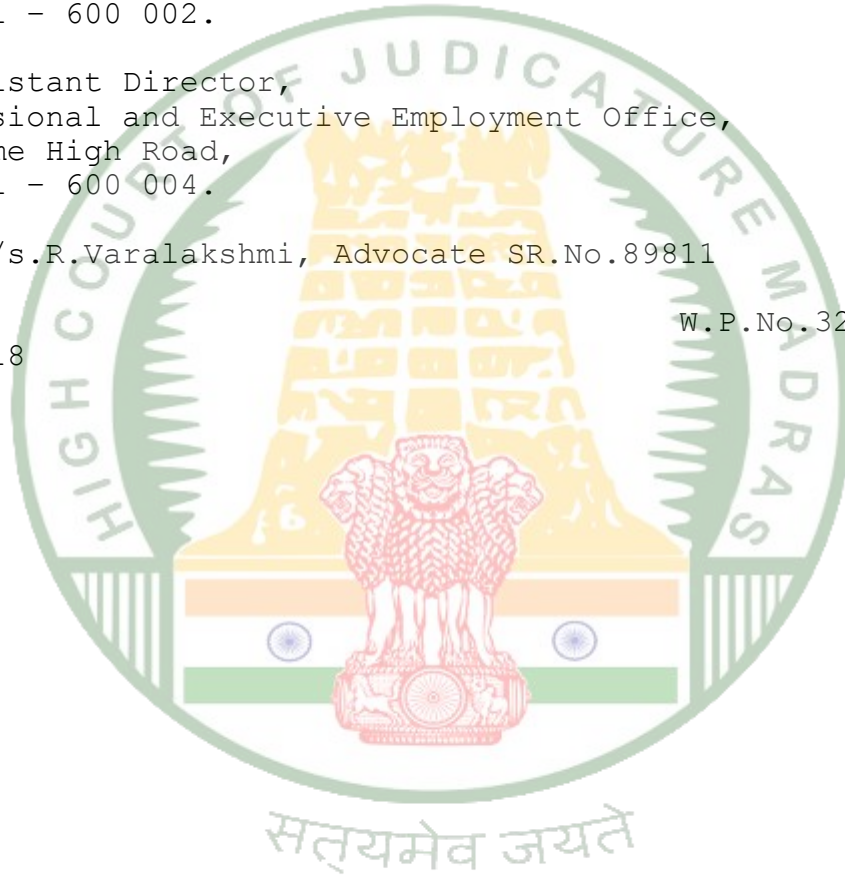
2.The Chief Engineer / Personnel,  
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3.The Assistant Director,  
Professional and Executive Employment Office,  
Santhome High Road,  
Chennai - 600 004.

+1cc to M/s.R.Varalakshmi, Advocate SR.No.89811

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sm:5.1.2018



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