

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.6682 of 2015

and

M.P.No.1 of 2015

S.Lekha

... Petitioner

Vs.

The Member Secretary
Teachers Recruitment Board,
College Road, Chennai -9

... Respondent

Prayer: The writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, by directing the respondent herein to consider the case of the petitioner for appointment to the post of computer instructor under the quota reserved for Backward class category, based on the qualification possessed by the petitioner and in the light of the letter issued by the Bharathiar University dated 06.03.2015 and pass orders.

For Petitioner : Mr.V.Vijay Shankar

For Respondents : Mr.S.Gunasekaran,
Special Government Pleader.

ORDER

The relief sought for in this writ petition is for a direction to the respondent to consider the case of the petitioner for appointment to the post of Computer Instructor under the quota reserved for Backward Class category.

2. The learned Additional Government Pleader, appearing on behalf of the respondent, filed a counter affidavit stating that the list of candidates were called for from the Employment Exchange and the writ petitioner has not reached the point of seniority, so as to consider her case for appointment. Para 5 of the Counter reads as follows:

"5. It is submitted that the petitioner S.Lekha was one among the candidates sponsored by the employment exchange for the post of Computer Instructor. She belongs to Backward Class Community. She was called for certificate verification on 27.02.2015. She has registered in the Employment Exchange on 19.07.2017. While the selection list was drawn, the cut off date of the last candidates selected in the General Turn (G) General Turn (W), Backward Class (General) and Backward Class(W) communal turn are furnished below:

General Turn (G)	04.10.1999
General Turn (W)	13.03.2000
Backward Class (G)	12.07.2006
Backward Class (W)	13.07.2006

Since the date of registration of the petitioner i.e.19.07.2007 did not reach the selection zone in the Backward Class communal turn, she could not be selected for the post of Computer Instructor. Therefore, the claim of the petitioner not to fill up one post of Computer Instructor under the quota reserved for Backward Class category is not feasible of compliance either on merits or in accordance with law.

3. In view of the fact that the writ petitioner has not reached her turn in the order of seniority, her case was not considered and thus, there is no infirmity in the non-selection of the writ petitioner. The case of the writ petitioner will be considered in accordance with her seniority and at the time of calling the list of names by the Recruiting Authorities.

4. Accordingly, no further consideration is required in this writ petition and the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar(CS IV)

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Sub Assistant Registrar

svn/smn

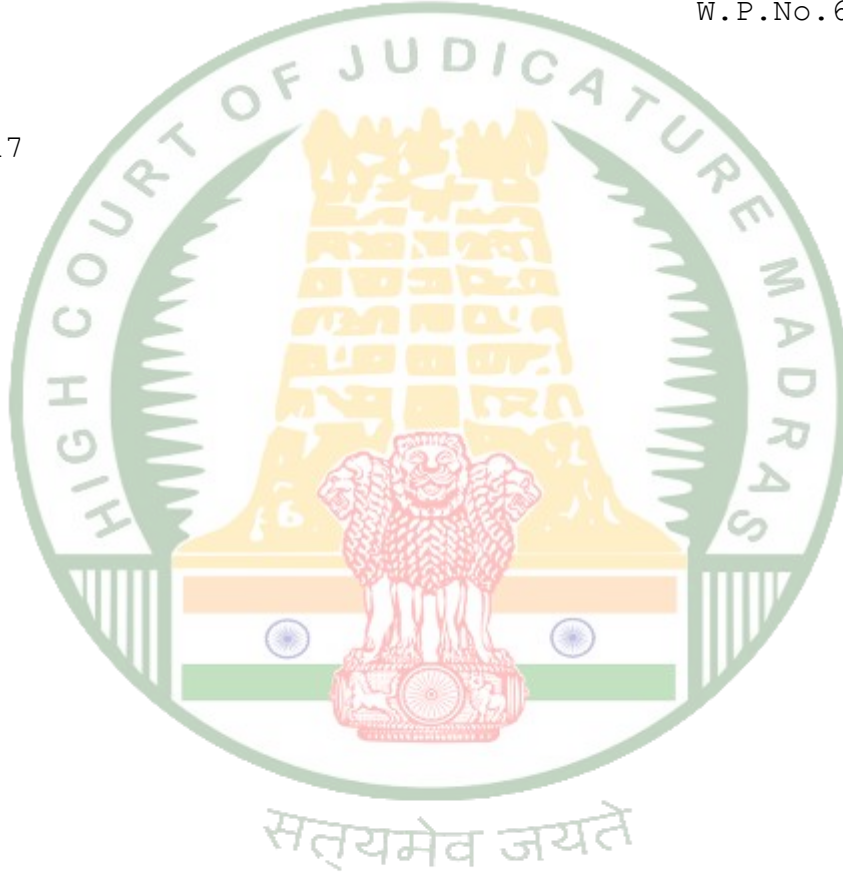
To

The Member Secretary
Teachers Recruitment Board,
College Road, Chennai -9

+1cc to Mr.S.Gunasekaran,, Advocate, S.R.No.59525
+1cc to Mr.V.Vijay Shankar, Advocate, S.R.No.59883

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AR(CS IV)
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