

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.7213 of 2015

and

M.P.No.1 of 2015

N.Roopa
...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 Scheduled Caste (A) 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.

For Petitioner : Mr.V.Vijay Shankar

For Respondent : Mr.K.Dhananjayan,
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 herein was one among the candidates sponsored by the Employment Exchange for the post of Computer Instructor. She belongs to Scheduled Caste (Arunthathiyar) category. She was called for certificate verification on 27.02.2015. At

the time of certificate verification it was found that she has registered in the Employment Exchange on 16.09.2009. But while the selection list was drawn, the cut off mark of the last candidates selected in the General Turn (General), General Turn (W), Scheduled Caste Arunthathiyar (W) communal turn are as detailed below:

General Turn (G)	04.10.1999
General Turn (W)	13.03.2000
Scheduled Caste Arunthathiyar (G)	14.09.2009
Scheduled Caste Arunthathiyar (W)	15.09.2009

Since the date of registration of the petitioner i.e.16.09.2009 did not reach the selection zone in the Scheduled Caste (Arunthathiyar) communal turn, she could not be selected for the post of Computer Instructor. Therefore, the plea of the petitioner to issue interim direction to the respondent not to fill up one post of Computer Instructor under the quota reserved for Scheduled Caste (Arunthathiyar) 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 II)

//True Copy//

Sub Assistant Registrar

svn/smn

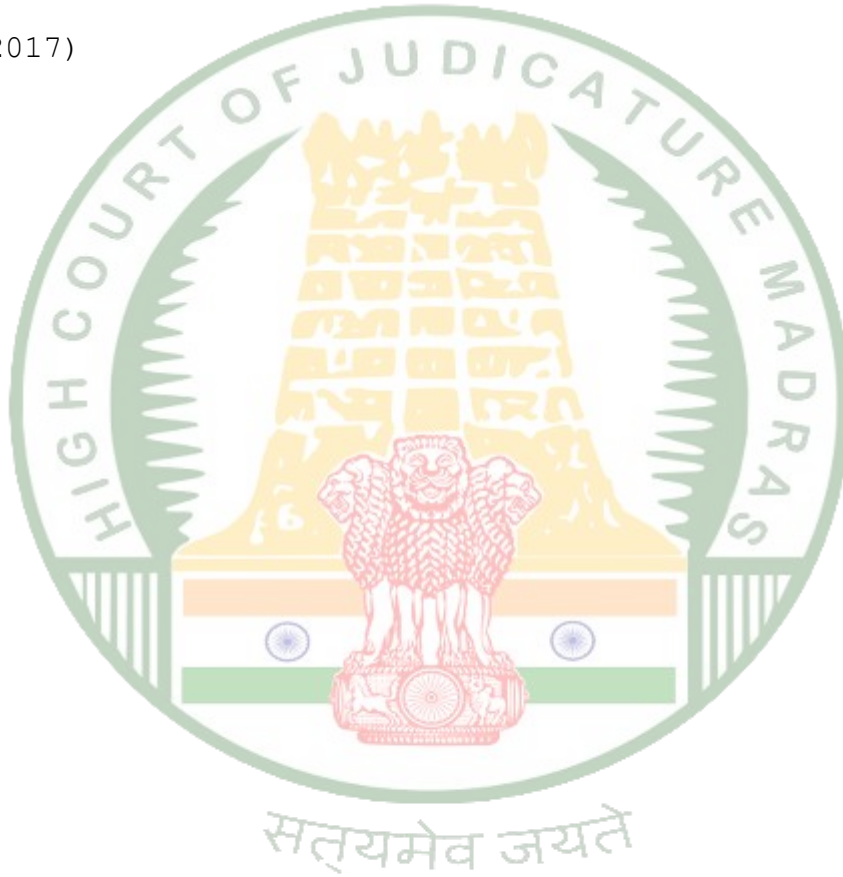
To

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

+1cc to Mr.V.Vijay shankar, Advocate, S.R.No.59882
+1cc to the Government Pleader, S.R.No.60005

W.P.No.7213 of 2015

SK(CO)
GN(13/09/2017)



WEB COPY