

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.01.2017

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.28892 of 2013

D.Thamizharasan

... Petitioner

- Vs -

1. The Secretary to Government,
Ministry of Education,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.

2. Teachers Recruitment Board,
Represented by its Chairman,
Government of Tamil Nadu,
Chennai - 600 006.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to treat the petitioner as selected candidate against the communal reservation provided for MBC / Denotified Communities quota, in the direct recruitment of Post Graduate Assistants for Government Higher Secondary Schools, 2012-2013.

For Petitioner : Mr.R.Balasubramanian
For Respondents : Mrs.P.Rajalakshmi,
Government Advocate

O R D E R

The present writ petition has been filed for the aforesaid prayer.

2. According to the petitioner, he acquired M.Com., B.Ed., in the year 1992 and he was registered his name with the Employment Office, in the year 1993. On 1993, the Teachers Recruitment Board has issued a Notification inviting applications for direct recruitment for the post of Post-

Graduate Assistants in Government Higher Secondary Schools. The petitioner has applied for the aforesaid post as M.B.C. / denotified community category. The written examination was held on 21.07.2013. The petitioner has got 84 marks. According to the petitioner, those candidates who were secured less than the petitioner has been selected under the above said reserved communal quota. Aggrieved against the same, the petitioner has filed this writ petition before this Court.

3. On the contrary, the learned Government Advocate appearing for the Board has submitted that the petitioner has applied for the post of P.G.Assistant. The column 7 in the application Form is meant for indicating the Medium studied by the candidate. In this case, the petitioner made the shading for English Medium towards Post Graduate and B.Ed., degrees in his application Form and therefore, the application can be considered only for English Medium as per his option in the application form.

4. Further it is submitted that the petitioner attended certificate verification on 04.02.2015 and produced all the certificates for verification. During certificate verification, he was awarded 4 marks weightage in the employment exchange. The total marks secured by him is 88 (84 + 4). The petitioner belongs to Most Backward Community. The cut off mark of the last candidate selected in MBC(G) communal turn is 105. Therefore, the petitioner did not secure eligible cut off marks to be considered for selection, as he has secured only 88 marks after certificate verification.

5. In view of the submission made by the learned counsel for the respondent/Board, it is clear that the petitioner has acquired only 88 marks. The cut off mark of the last candidate selected in MBC(G) communal turn is 105. Therefore, the petitioner has not secured the required cut off marks for consideration for selection. Hence, the writ petition deserves to be dismissed.

Accordingly, this Writ Petition is dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

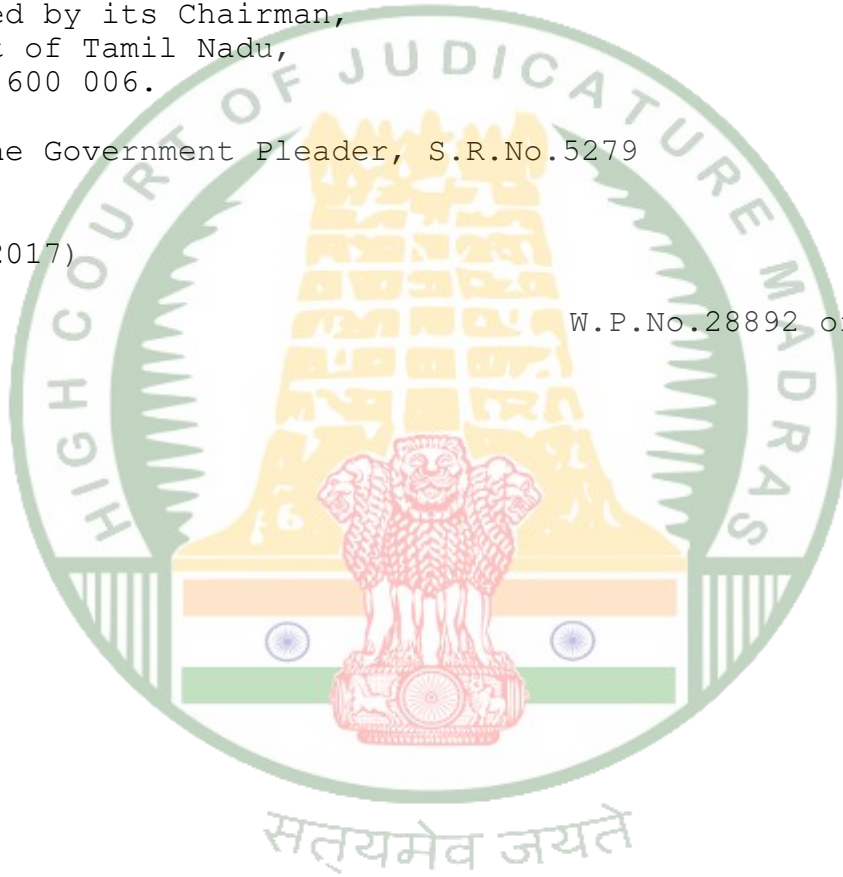
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+lcc to the Government Pleader, S.R.No.5279

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md(09/03/2017)

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