



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN

and

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.A. (MD) No.524 of 2011

WEB COPY

J.Ashok Joshi

..Appellant

Vs.

1. The Tamil Nadu Electricity Board,
Through its Chairman,
144, Anna Salai,
Chennai.

2. The Chief Engineer-Personnel,
Tamil Nadu Electricity Board,
144, Anna Salai,
Chennai.

3. Rathinasamy,
Assistant Engineer,
Tamil Nadu Electricity Board,
Ooty O & M,
Uthagamandalam,
Nilgiri District.

..Respondents

PRAYER: Writ Appeal is filed under clause 15 of Letter Patent against the order passed by this Court in W.P.(MD)No.11317 of 2008 dated 21.04.2011

Prayer in WP(MD). 11317/ 2008 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorari Mandamus calling for the records from the respondents regarding the result for appointment of Assistant Engineer Electrical which was published in the internet on 26.11.2008 and quash the same as illegal and arbitrary and consequently direct the 1st and 2nd respondent to follow the due process of law in recruitment and consider the case of the petitioner for appointment to the post of Assistant Engineer based on his qualification and eligibility within the time limit.

For Appellant

: Mr.M.Vinoth Singh Misra

For Respondent

: Mr.Sathiyamoorthy (for R1 & R2)

for Mr.G.Kasinathadurai

Mr.T.Lajapathi Roy (for R3)

**JUDGMENT**

[Judgment of the Court was delivered by **G.R.SWAMINATHAN, J.**]

The unsuccessful writ petitioner has filed this *intra Court* appeal questioning the order dated 21.04.2011 in W.P.(MD)No.11317 of 2008.

2. The case of the writ petitioner is that the Tamil Nadu Electricity Board called for applications for filling up the vacancies in the post of Assistant Engineer (Electrical) and that even though he was fully qualified, he was not selected.

3. The writ petitioner belongs to Scheduled Caste category. For the said category, the cut off mark was 67.21. Unfortunately, the writ petitioner secured only 52.07. Since the writ petitioner's mark fell below the cut off mark, he could not be selected. This is the only reason for non-selection of the petitioner and nothing else. The appellant cannot make any grievance out of it. There are no merits in the Writ Appeal. Hence, the Writ Appeal is dismissed.

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

+2cc to Mr.D.Selvanayagam, Advocate Sr.No.68596,68569

+1cc to Mr. T.Lajapathi Roy, Advocate SR.No.68861

+1cc to Mr.G.Kasinathadurai, Advocate SR.No.68668

TA/RM/AKV

VB/KP/SAR4/01.09.2017/2P/5C

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