

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 10.08.2018
Coram

The Hon'ble Mr. Justice Satrugana Pujahari

Writ Petition No.20501 of 2018
and
W.M.P.Nos. 24096 & 24097 of 2018

Ramapandiyar

...Petitioner

Vs.

1. The General Manager (HR)
Bank of India - Head Office,
Star House, Plot C - 5,
"G"Block, Bandra Kurla Complex,
Bandra (East), Mumbai.

2. The Chief Manager (HR),
Bank of India, Chennai Zonal Office,
Bank of India Building,
2nd Floor, 17, Erabalu Street,
Chennai - 1.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorari Mandamus to call for records pertaining to impugned rejection note made in the call letter by the 2nd respondent dated 20.07.2018 referring to clause vii of the call letter which reads as; "Candidate belonging to OBC category should bring the OBC Certificate issued during the period 01.04.2017 to 31.03.2018 in original along with photo copies thereof issued by the competent authority on the prescribed preform issued specifically mentioning the creamy layer clause" and quash the same, and direct respondents to appoint the petitioner in the post of Officer Credit in General Stream, in the respondents Bank by giving due consideration to the community certificates produced by the petitioner.

For Petitioner : Mr. B. Balavijayan

O R D E R

Heard Mr. B. Balavijayan, the learned counsel appearing for the petitioner.

2. The grievance of the petitioner, in this Writ Petition is that, he applied for the post of Officer (Credit) of the respondent/Bank, pursuant to an advertisement floated on 01.04.2018, and wrote the examination, thereafter, though he was selected in the written examination, but not allowed to participate in the interview, as, during certificate verification, it was found that he had not produced the Other Backward Class certificate (OBC certificate) for the relevant period, i.e. from 01.04.2017 to 31.03.2018, as required by the respondent/Bank, indicating that he belongs to no creamy layer of OBC. According to the petitioner, such an stipulation made is arbitrary and he having produced OBC certificate of the year 2012 and also being issued subsequently with such required OBC Certificate from subsequent to the date of requirement, the refusal of permitting him to attend the interview is bad. However, admittedly, the petitioner had not produced the certificate as required in the advertisement though he had participated in the written examination, as per the aforesaid stipulation. Hence, at this stage, he cannot be heard of challenging that such stipulation was bad. Hence, the petitioner appears to have made out no prima facie case for granting the relief as sought for by him in this Writ Petition. Therefore, I am not inclined to admit the Writ Petition. Accordingly, the Writ Petition stands dismissed at the stage of admission. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

s/d-

Assistant Registrar (CS VIII)

True Copy

Sub-Assistant Registrar

sd

सत्यमेव जयते

Writ Petition No.20501 of 2018

SP(04/09/2018)

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