



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.10.2018

CORAM:

WEB COPY

THE HONOURABLE Mr. JUSTICE S. VAIDYANATHAN

W.P. (MD) No. 20269 of 2018

K. Sandhanamurugan

... Petitioner

Vs.

The Deputy Commissioner,
Commercial Tax Office (East),
Dr. Thangaraj Road,
Madurai

... Respondent

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to accept the 8th Standard certificate sent by the petitioner on 31.08.2018 and consider his candidature in the selection process for the post of Office Assistant.

For Petitioner : Mr. K. Mahendran

For Respondent : Mr. M. Pandiarajan
Addl. Govt. Pleader

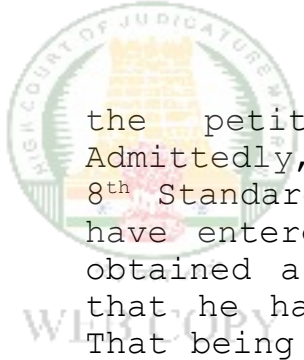
ORDER

The petitioner has come forward with the present Writ Petition for issuance of a Writ of Mandamus, directing the respondent to accept the 8th Standard certificate sent by the petitioner on 31.08.2018 and consider his candidature in the selection process for the post of Office Assistant.

2. Mr. M. Pandiarajan, the learned Additional Government Pleader takes notice for the respondent.

3. The learned counsel appearing for the petitioner would submit that the petitioner is a B.Com., graduate, obtained in regular stream. When the petitioner made an application for the post of Office Assistant, pursuant to the advertisement made by the respondent, it was rejected on the ground that 8th Standard Certificate was not enclosed along with the application, as the qualification for the said post is 8th Standard.

4. The sum and substance of the case of the petitioner is that the request of the petitioner was not considered, on the ground that



the petitioner was not enclosed 8th Standard certificate. Admittedly, the petitioner is a graduate in B.Com. Without clearing 8th Standard, 10th Standard and Plus Two, the petitioner could not have entered in the College, unless otherwise, the petitioner has obtained a degree through Open University. The petitioner stated that he has not obtained the degree through the Open University. That being the case, there is no need for any one to produce the 8th Standard certificate, if they have cleared 10th Standard and above. The non-enclosure of 8th Standard certificate is not a material for the selection to the said post of Office Assistant, as the petitioner is a graduate. That apart, the petitioner has enclosed the 8th standard certificate in the present writ petition.

5. In the light of the above, the respondent is directed to accept the 8th Standard certificate sent by the petitioner on 31.08.2018 and consider his candidature in the selection process for the post of Office Assistant, if he is is otherwise eligible.

6. In the result, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (AS)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

The Deputy Commissioner,
Commercial Tax Office (East),
Dr.Thangaraj Road,
Madurai

+1cc to Mr.K.Mahendran, Advocate, Sr.No.91121.
+1cc to Special Government Pleader, Sr.No.91413.

W.P. (MD) No.20269 of 2018
23.10.2018

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