



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**W.P. (MD) No.6290 of 2013****and****M.P. (MD) No. 1 of 2013**

R.Renganayagi

... Petitioner

Vs.

1. State of TamilNadu,
represented by its Principal Secretary,
Tourism and Cultural Department,
Secretariat, Chennai -600 009.
2. The Commissioner of Art and Culture,
Tamil Development Office II Floor,
Halls Road, Egmore,
Chennai- 600 008.
3. The Director,
Professional and Executive Training,
Guindy, Chennai-600 032.
4. The District Employment Officer,
District Employment Office,
Thoothukudi District.

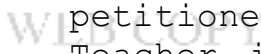
... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to consider and dispose of the representation of the petitioner dated 24.01.2013 within a time frame that may be fixed by this Court.

For petitioner	: M/s. P.Kalaiyarasi Bharathi
For Respondents	: Mr.M.Muthu Additional Government Pleader

O R D E R

The relief sought for in this writ petition is for a direction to direct the first respondent to consider and dispose of the representation of the writ petitioner dated 24.01.2013.



"4. It is a fact that the applicant in her petition dated 23.04.2012 sought for information under the Right to Information Act regarding the seniority upto which candidates were nominated for the post of Teacher for Dance. In response to her application, she was informed through the letter No.A3/4767/2012 dated 23.08.2012 of the District Employment Officer, Thoothukudi, that candidates registered upto 17.03.1997 were considered for nomination. The cut of date of seniority ie., 17.03.1997 is only meant for Open competition/ Backward Community-Non Priority candidates for the recruitment during the year 2012 as the applicant belongs to such category. However, Most Backward Community candidates registered upto 19.08.2002 and Scheduled Caste-Women-Priority candidates registered upto 2012 were nominated during 2012. It shows that there is every possibility that junior registrants from priority group viz Ex.Servicemen, Dependents of Exservicemen, Destitute Widows, Intercaste married couples, Physically Handicapped, etc. could get their names nominated overriding her name. Likewise there is every possibility that junior registrants from other communities viz Most Backward Community/ Scheduled Caste/Scheduled Tribe could get their names nominated overriding her name. As the applicant herself belongs to Backward Community - Non-Priority category she cannot claim nomination on par with Most Backward Community/ Scheduled Caste/ Scheduled Tribe and Priority Group."



4. This being the factum of the case the direction as such sought for to consider the representation submitted by the writ petitioner is not required and it is made clear that the case of the writ petitioner will be considered as and when she reaches the employment seniority in accordance with the recruitment Rules in force.

5. With these observations, this writ petition stands dismissed. Consequently, connected miscellaneous petition is dismissed. No costs.

Sd/-

Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary,
State of TamilNadu,
Tourism and Cultural Department,
Secretariat, Chennai -600 009.
2. The Commissioner of Art and Culture,
Tamil Development Office II Floor,
Halls Road, Egmore,
Chennai- 600 008.
3. The Director,
Professional and Executive Training,
Guindy, Chennai-600 032.
4. The District Employment Officer,
District Employment Office,
Thoothukudi District.

+ 1 cc TO Mr.P.Kalaiyarasi Bharathi , Advocate in SR No. 49771
+ 1 cc TO The Special Government Pleader in SR No. 50267

pnn

AE/KK/SAR3/05.03.2018/3P/7C

ORDER MADE IN
W.P. (MD) No.6290 of 2013
20.02.2018