

THE HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.10107 of 2001

ORDER:

This writ petition is filed seeking to issue a writ of Mandamus declaring the action of the respondents in terminating the petitioner as Urban Career Agent, as arbitrary and illegal, and consequently direct the respondents to continue the petitioner as Urban Career Agent in the 3rd respondent Branch by paying stipend and other benefits.

2. Heard Sri N. Siva Reddy, learned counsel for the petitioner and Sri B. Raj Kiran, learned Standing Counsel for the respondents.

3. The case of the petitioner is that she has appeared for the examination conducted by the respondents for being selected as Stipendiary Career Agent. There were five papers in which the candidates must appear all the papers to get qualified for being selected as Stipendiary Career Agent. But, the petitioner appeared only for four examinations and for one examination, she was absent for herself.

4. The contention of the petitioner is that the requirement of securing 50% of marks must be obtained in the examination in which she appeared and the entire five subjects cannot be insisted for assigning her performance for securing 50%

5. Learned counsel for the respondents contended that the overall performance in all the five subjects will be taken into account and only such of those who have secured more than 50% in all the five examinations are entitled to be selected as Stipendiary Career Agent. The petitioner has appeared for four examinations and she could not

secure 50% aggregate marks in all the five examinations, therefore, her case was not considered.

6. This Court, having considered the rival submissions made by the parties, is of the considered view that the contention of the petitioner cannot be accepted. As per the Rules, one must secure 50% of the marks in all the five papers. Since the petitioner failed to secure 50% marks in all the five papers, her case cannot be considered for being considered for the post of Urban Career Agent. There are no merits in the writ petition and hence the same is dismissed.

7. No order as to costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand dismissed.

ABHINAND KUMAR SHAVILI, J

August 10, 2018

KTL

