

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.01.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WP.No.11058 of 2011

M.Raghavan

Petitioner

Vs

1.The Commissioner of Agricultural, Office of the
Commissioner of Tamil Nadu Agricultural
Chennai-5

2.The Director, Department of Employment and Training
Chennai-5 Respondents

Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the Respondents to dispose of the representation of the Petitioner, dated 15.03.2011.

For Petitioner : Mr.M.Murugesan

For Respondents : Mr.M.Karthikeyan, AGP

ORDER

The prayer in this Writ Petition is to direct the Respondents to dispose of the representation of the Petitioner, dated 15.03.2011.

2. This court heard the learned counsel on either side and also perused the materials placed on record.

3. According to the Petitioner, the selection was conducted in an arbitrary manner. The 1st Respondent should have considered his seniority while selecting the candidates. When the appointment was only based on the seniority, the non selection of the Petitioner is against the norms, rules and regulations to be followed and against the principles of natural justice.

3. It is seen from the counter affidavit filed by the Respondents that the Petitioner appeared for the interview held on 21.01.2009 and scored 30 marks out of 50 marks, which is lower than the 33 marks scored by the last person selected under the SC (Male) Category, in which the Petitioner belongs to. Subsequently, in the year 2011 to fill up 996 vacancies, the 2nd Respondent had sponsored a list of 3398 candidates, who had possessed adequate educational qualification for the post of Assistant

Agricultural Officer and the Petitioner appeared for the interview on 22.01.2011, conducted by the 4 Committees, consisting of 3 Members each. In the said interview, the Petitioner had scored 27 marks out of 50 marks, which is lower than the marks scored by the last candidates, i.e. 31 marks in the selection under the SC Category, in which the Petitioner belongs to. The entire selection was based on the marks scored in the selection process. However, marks towards employment seniority and academic qualification were also awarded. Though old candidates and fresh candidates were considered, the senior candidates were given more weightage by awarding more marks based on employment seniority. The entire selection was based on the merits of the candidates alone. Hence, the question of employment seniority does not arise since marks were also awarded for the employment seniority based on the registration.

4. For the reasons stated above, there is no substance in the grounds raised in this Writ Petition and hence, though the prayer in this Writ Petition is for a limited relief of directing the Respondents to dispose of the representation of the Petitioner, since the Petitioner has not made out a case even to consider his representation, such a prayer sought for in this Writ Petition cannot be granted. Consequently, this Writ Petition is dismissed. No costs. Consequently, the connected MP is closed.

Sd/-/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

Srcm

To

1.The Commissioner of Agricultural, Office of the
Commissioner of Tamil Nadu Agricultural
Chennai-5

2.The Director, Department of Employment and Training
Chennai-5

+1cc to Mr.M.Murugesan , Advocate SR.No. 3119

WP.No.11058 of 2011

A.SK(21/02/2019)