

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.22270 of 2019

Veeramuthu

..Petitioner

-vs-

The Member Secretary
Tamil Nadu Forest Uniformed Service
Recruitment Committee
Panagal Maligai
No.1, Saidapet
Chennai-600 015.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to permit the petitioner to attend the certificate verification based on 66.14% marks obtained by the petitioner in the online examination conducted by the respondent on 10.12.2018 and consequently to appoint the petitioner in the post of Forest Guard with driving license.

For Petitioner : Ms.S.Vinodha

For Respondent : Mr.M.Elumalai
Government Advocate

O R D E R

Writ Petition is filed for issuance of a Writ of Mandamus directing the respondent to permit the petitioner to attend the certificate verification based on 66.14% marks obtained by the petitioner in the online examination conducted by the respondent on 10.12.2018 and consequently, to appoint the petitioner in the post of Forest Guard with driving license.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondent.

3.The case of the petitioner is that based on the notification issued by the respondent vide Advertisement No.1/2018, dated 06.10.2018 for direct recruitment for the vacancies for the post of Forest Guard - 726 posts and Forest Guard with driving license - 152 posts, the petitioner has

applied for the above said posts through online. The petitioner attended the online examination on 10.12.2018. After online examination, the respondent has published the list of selected candidates in its official website on 27.02.2019. But the petitioner's Roll number was not shown in the selection list. Further, the respondent has published the list of candidates, which contains 59 persons as provisionally selected for appointment by direct recruitment for the post of Forest Guard with driving license. The marks were not published in the respondent's official website till the selection list was published. Further, on 30.05.2019, the respondent has published the cut off marks of each category. Since the petitioner has come under the MBC category, the cut off marks was shown as 49.48% and his mark is 66.14%. Though the petitioner has secured 66.14% marks as against the cut off mark of 49.48%, the respondent did not call the petitioner for certificate verification. Therefore, the petitioner made a representation to the respondent on 10.06.2019. The respondent by its proceedings dated 20.06.2019 informed the petitioner that since the petitioner did not send the required certificate for the post of Forest Guard with driving license, he was not called for certificate verification. Hence, the petitioner has come out with the present writ petition for the relief as stated above.

4. The learned Government Advocate appearing for the respondent filed counter affidavit.

5. This Court perused the counter affidavit filed by the respondent and the relevant paragraph of the counter affidavit is extracted hereunder:

"11. It is respectfully submitted that, the petitioner has applied for the posts of Forest Guard and Forest Guard with driving license vide his Registration No.18020019650 and attended the written examination (Computer based test) conducted by TNFUSRC on 10.12.2018. It is pertinent to note that only based on the merit in the online examination (Computer Based Test), the candidates were called for post examination activities i.e., certificate verification, physical standards verification and Endurance Test in the ratio 1:3 as per Government Order (Ms) No.187, Environment and Forests (FR-2) Department, dated 19.11.2013. While generating the list of candidates in the ratio 1:3 for post examination activities, the cut off mark arrived for post examination activities under MBC/Denotified Community General and MBC/Denotified Community PSTM (Person Studied in Tamil Medium) are 69.46%

and 68.58% respectively. The petitioner belonging to MBC/Denotified Community Category had scored only 66.14% which is lesser than the cut off marks under MBC/Denotified Community General and MBC/Denotified Community PSTM required to participate in the post examination activities."

6. In view of the above, since the petitioner has not scored the required marks, he was not called for certificate verification. Hence, I find no error in the action of the respondent. Accordingly, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The Member Secretary
Tamil Nadu Forest Uniformed Service
Recruitment Committee
Panagal Maligai
No.1, Saidapet, Chennai-600 015.

+1cc to Mr.M.Rajendiran, Advocate, SR.No.79274
+1cc to the Govt.Pleader, Vide Sr.No. 78994

W.P.No.22270 of 2019

Kak(22/10/2019)

सत्यमेव जयते

WEB COPY