

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2019

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.31731 of 2019
and W.M.P.Nos.31936, 31938 and 31940 of 2019

Suganthi

...Petitioner

vs.

1.The State of Tamil Nadu,
rep. by its Secretary to Government,
School Education Department,
Fort St. George, Chennai - 9.

2.The Member Secretary,
Tamil Nadu Teachers Recruitment Board,
E.V.K.Sampath Maligai,
DPI Compound, Chennai.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, seeking for the issuance of a Writ of Certiorarified Mandamus, call for the records pertaining to impugned notification vide Notification No.10 of 2019 of the 2nd respondent dated 12.06.2019 with regard to PG Assistant Tamil and quash the same and consequently direct the respondents to issue a fresh notification with the reservation for the persons performed Inter-caste marriage.

For Petitioners : Mr.K.Amirthalingam

For Respondents : Ms.P.Kavitha
Government Advocate

ORDER

The writ petition has been filed by the petitioner to quash the impugned notification No.10 of 2019 of the second respondent dated 12.06.2019 with regard to PG Assistant Tamil and consequently direct the respondents to issue a fresh notification with the reservation for the persons performed Inter-caste marriage.

2.The case of the petitioner is that the petitioner filed writ petition challenging the notification No.10 of 2019 dated of the second respondent dated 12.06.2019 pertaining to the recruitment of PG Assistants and the petitioner is eligible candidate for the said recruitment. However, the notification has not provided the special reservations for the persons performed inter-caste marriage where it founds place in the earlier recruitments. Hence, the present writ petition has been filed before this Court.

3.The learned counsel appearing for the petitioner would submit that the petitioner participated in the selection process and secured 78 marks. If the notification provided reservation for inter-caste marriage, they might have selected the petitioner for the said post. Hence, the petitioner was not selected. However, earlier occasion reservation was provided for inter-caste marriage. Hence, he prayed for allowing this writ petition.

4.Per contra, the learned Government Advocate appearing for the respondents 1 and 2 would submit that even earlier notification no reservation was provided for inter-caste marriage and further submit that the petitioner participated in the selection process under BC category and secured only 78 marks whereas cut-off marks for BC category is 93 marks.

5.Considering the facts and circumstances, the petitioner participated in the selection process under BC category and secured only 78 marks whereas cut-off marks for BC category is 93 marks. Apart from the above, the present writ petition is challenging the Notification on the ground that there is no reservation for the persons performing inter-caste marriage. Providing reservation is policy of the Government and this Court cannot issue any direction to the Government for reservation. The writ petition is mis-conceived and accordingly, the same is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

सत्यमेव जयते
Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

pam

TO:

1.The Secretary to Government,
State of Tamil Nadu,
School Education Department,
Fort St. George, Chennai - 9.

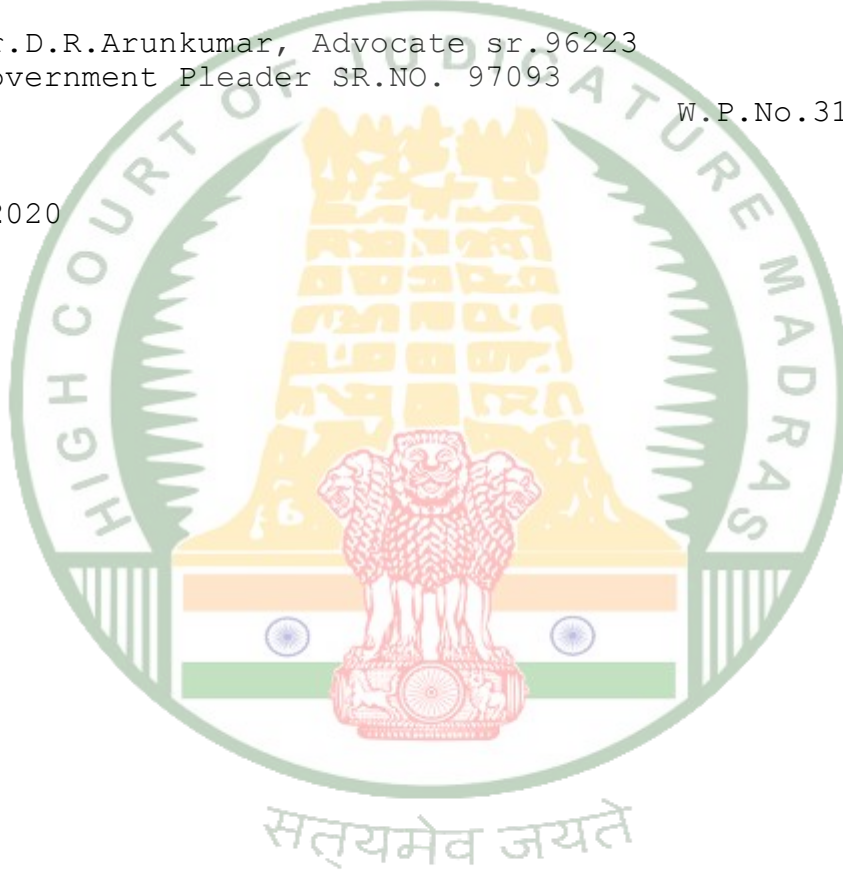
2.The Member Secretary,
Tamil Nadu Teachers Recruitment Board,
E.V.K.Sampath Maligai,
DPI Compound, Chennai.

+1cc to Mr.D.R.Arunkumar, Advocate sr.96223

+1cc to Government Pleader SR.NO. 97093

W.P.No.31731 of 2019

rsv(co)
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