

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2019

C O R A M

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

Writ Petition No.32493 of 2018

P.Sudha

... Petitioner

Vs.

The Chief Secretary
Tamil Nadu State Government
Secretariat
Chennai - 600 009.

... Respondent

Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to consider the representation dated 11/11/2018 and to direct the respondent to consider the reservation for Government jobs and Government allotted jobs for the third gender.

For Petitioner : M/s.M.Madhu Prakash

For Respondent : Mr.A.N.Thambidurai
Special Government Pleader

O R D E R

The grievances of the writ petitioner is that no reservation has been provided for the third gender in Government jobs. Thus, the petitioner, who is the President of Indian Transgenders Initiative is constrained to file the present writ petition and contending that the members of the other similarly placed persons are unable to secure for public employment for want of reservation.

2.Reservation is a policy decision to be taken by the Government and the Court cannot issue any direction for the purpose of providing reservation to the candidates belonging to the third gender.

3.However, the petitioner is at liberty to approach the Government for the purpose of considering their case and for redressal. Again it is made clear that Courts cannot issue any direction for creation of reservation of a policy, more specifically, in the matter of policy for providing reservation.

4.This being the principles to be followed, the relief as such sought for in the present writ petition cannot be granted.

3. With the above, this writ petition stands dismissed. There shall be no order as to costs.

Sd/-

Assistant Registrar (Insp Cell)

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Sub Assistant Registrar

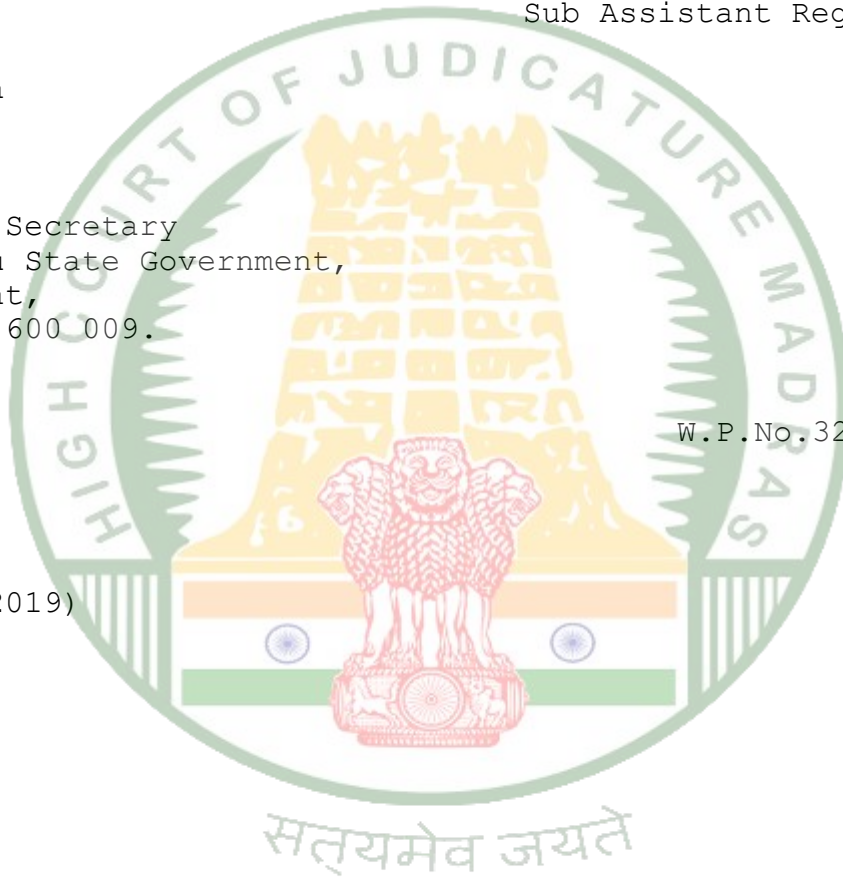
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To

The Chief Secretary
Tamil Nadu State Government,
Secretariat,
Chennai - 600 009.

W.P.No.32493 of 2018

PA (CO)
GN (03/05/2019)



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