



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.7475 of 2015

and

MP (MD) No.1 of 2015

S.Muthukumaran

... Petitioner

-Vs-

1.The Director,
Tribuls Welfare Department,
Chepack, Chennai-25.

2.The Commissioner of Municipal Administration,
Chepack, Chennai-9.

3.The District Collector,
Virudhunagar District, Virudhunagar.

4.The Commissioner,
Rajapalayam Municipality,
Virudhunagar District.

5.The Employment Officer,
District Employment Exchange,
Virudhunagar District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 4th respondent to appoint the petitioner and to follow the Rule of Reservation and Roaster System in appointing for the vacant post and existing posts in the 4th respondent Municipality by selecting candidates from the schedule tribes for the suitable posts for which they are eligible passed on representation dated 26.03.2015.

For Petitioner : Mr.S.Karthik

For Respondents : Mr.K.Mu.Muthu
Additional Government Pleader

ORDER

<https://hcservices.ecourts.gov.in/hcservices/>
The relief sought for in the present writ petition is for a direction to direct the 4th respondent to appoint the petitioner and to follow the Rule of Reservation and Roaster System in appointment



for the vacant post.

2.The writ petitioner states that after completing the 10th standard, he registered his name in the employment exchange. The petitioner is renewing the employment registration periodically. The writ petitioner states that he belongs to Scheduled Tribe Community and inspite of that, his name has not been sponsored for appointment to any suitable post.

3.This Court is of the considered opinion that the relief as such sought for in the present writ petition cannot be granted so as to grant appointment to the writ petitioner. All appointments are to be made strictly in accordance with the recruitment rules in force. Undoubtedly, the name of the writ petitioner was sponsored by the Employment Exchange by following the rules of reservation and roaster system. This being the rule should be followed. The respondents are directed to consider the name of the writ petitioner as per the employment seniority with reference to the communal roaster and the rule of reservation. Whenever, the list is called for the name of the writ petitioner is to be considered along with all other candidates, who are all eligible in the order of seniority.

4.With these clarifications, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD I)

// True Copy //

Sub Assistant Registrar(CS)

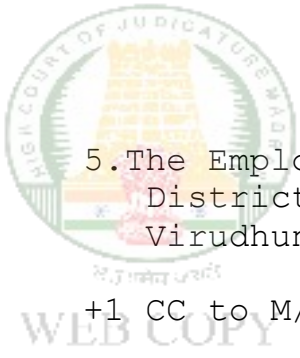
To

1.The Director,
Tribuls Welfare Department,
Chepack, Chennai-25.

2.The Commissioner of Municipal Administration,
Chepack, Chennai-9.

3.The District Collector,
Virudhunagar District, Virudhunagar.

4.The Commissioner,
<https://hcservices.ecourts.gov.in/hcservices/>
Rajapalayam Municipality,
Virudhunagar District.



5.The Employment Officer,
District Employment Exchange,
Virudhunagar District.

+1 CC to M/s.S.KARTHIK, Advocate (SR-74634[F] dated 11/07/2019)

W.P. (MD) .No.7475 of 2015
10.07.2019

SJI/AM
KK/SAR/19.07.2019/3P-7C