

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 14.06.2019****CORAM:****THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM****W.P. (MD)No.5047 of 2013****and****M.P. (MD)No.1 of 2013**

Pon.Tamilarasu

... Petitioner

-Vs-

1. State of Tamil Nadu,  
Represented by its Secretary,  
Department of Agriculture,  
Fort St. George, Chennai-09.

2. The Commissioner of Agriculture,  
O/o. Director of Agriculture,  
Chepauk, Chennai-5.

...Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to award marks for petitioner's experience and additional qualification and accordingly, appoint the petitioner in the post of Assistant Agriculture Officer.

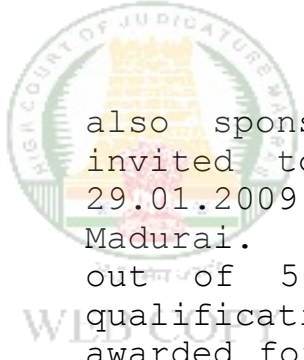
For Petitioner  
For Respondents

: Mr.T.Lajapathi Roy  
: Mr.S.Dhayalan,  
Government Advocate.

**ORDER**

The relief sought for in the present Writ Petition is to direct the respondents to award marks for petitioner's experience and additional qualification and accordingly, appoint the petitioner in the post of Assistant Agriculture Officer.

2.The writ petitioner was a candidate, aspired to secure the appointment to the post of Assistant Agricultural Officer. The writ petitioner participated in the process of selection and the counter affidavit filed by the respondents states that the writ petitioner was not within the zone of consideration. Thus, the writ petitioner was not selected. In this regard, it is stated that an action was initiated to fill up 1,707 posts of Assistant Agricultural Officer. Accordingly, Statewide eligible candidates were called from the Director of Employment and Training for consideration. The Employment Exchange sponsored 4004 eligible candidates and the name of the writ petitioner was



also sponsored. Consequently, the writ petitioner was also invited to participate in the process of interview held on 29.01.2009 in the office of Joint Director of Agriculture at Madurai. The petitioner attended interview and scored 32 marks out of 50 marks and he was awarded 7 marks for academic qualification, 15 marks for employment seniority and 10 marks was awarded for Technical Calibre. Accordingly, the petitioner scored 32 marks in total. However, the minimum marks for selection fixed for BCO category is 35 marks. When the cut off mark fixed for BCO category is 35 and the writ petitioner scored 32 marks in the process of selection, there is no infirmity in respect of the rejection of the candidature of the writ petitioner, as he was not within the zone of consideration at all.

3. In view of the facts and circumstances, the writ petitioner has not established any ground for the purpose of granting relief as such sought for in the present Writ Petition. This apart, there is no allegation of malpractice or corrupt activity in the process. In the absence of any such allegation, the writ petitioner, who was not within the zone of consideration, is not entitled to secure the appointment to the post of Assistant Agricultural Officer. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS )

Myr

To

1. The Secretary,  
State of Tamil Nadu,  
Department of Agriculture,  
Fort St. George, Chennai-09.
2. The Commissioner of Agriculture,  
O/o. Director of Agriculture,  
Chepauk, Chennai-5.

+1cc to M/S.T.Lajapathi Roy, Advocate, Sr.No.68996  
+1cc to M/S.Special Government Pleader Sr.No.69271

**W.P(MD) No.5047 of 2013**  
**14.06.2019**



WEB COPY