

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.2275 of 2020
and
W.M.P.No. 2650 of 2020

S.Chitra

Petitioner

vs.

The Member Secretary,
Teachers Recruitment Board,
E.V.K. Sambath Maligai,
4th Floor, DPI Campus,
College Road,
Chennai - 600 006.

Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to recruit the petitioner under disability quota (hearing impairment) pursuant to the respondent notification published by the respondent in notification no.9 of 2019 dated 01.03.2019, forthwith petitioner representation dated 13.01.2020 & 24.01.2020.

For Petitioner : Mr.T.Padmanabhan

For Respondent : Mr.C.Munusamy
Special Government Pleader

ORDER

This writ petition has been filed for issuance of a writ of Mandamus, directing the respondents to consider the representation made by the petitioner dated 13.01.2020 & 24.01.2020 and to process the application made by the petitioner for selection to the post of Computer Instructors Grade-I, under the disability quota (hearing impairment).

2. The case of the petitioner is that the respondent had called for applications to fill up the post of Computer Instructors Grade - I (Post Graduate cadre). The petitioner had applied for the said post. The petitioner was claiming reservation under the disability quota since she suffers from hearing impairment. At the time of submitting the application, the petitioner was not holding her original disability certificate and therefore, she was not able to upload the same when the petitioner submitted the on-line application.

3. The petitioner participated in the written examination and she has secured 81.83 marks. In the mean time, the petitioner was able to trace the original disability certificate which was sent to her by some one who had found this original disability certificate elsewhere.

4. The petitioner was called for certificate verification and the petitioner explained the reason why the original disability certificate was not uploaded at the time of submitting the application. Further, the provisional selection list that was published on 11.01.2020 did not contain the name of the petitioner. Aggrieved by the same, the present writ petition has been filed before this Court.

5. Heard Mr.T.Padmanabhan, learned counsel appearing for the petitioner and Mr.C.Munusamy, learned Special Government Pleader appearing for the respondent.

6. It is seen from records that the respondent has not filled up the post of Computer Instructors Grade-I (Post Graduate cadre) under the category of hearing impairment, both under the BC as well as GT. The petitioner is claiming under both the categories. The original disability certificate has now been traced and a copy of the same was also filed before this Court. The respondents, can therefore, now verify the original disability certificate of the petitioner and accommodate her under the hearing impairment category, if the petitioner has satisfied all the other requirements. Instead of reserving the seat for this category and carrying it forward to the next recruitment, the respondent can as well accommodate the petitioner in the vacancy available. Interest of justice would be served, if this process is adopted by the respondent.

7. In the result, the respondent is directed to consider the representations made by the petitioner on 13.01.2020 and 24.01.2020 and verify the original disability certificate of the petitioner and consider her candidature, if the petitioner has otherwise fulfilled all the other requirements.

8. This writ petition stands disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CCC)

//True copy//

Sub Assistant Registrar

To

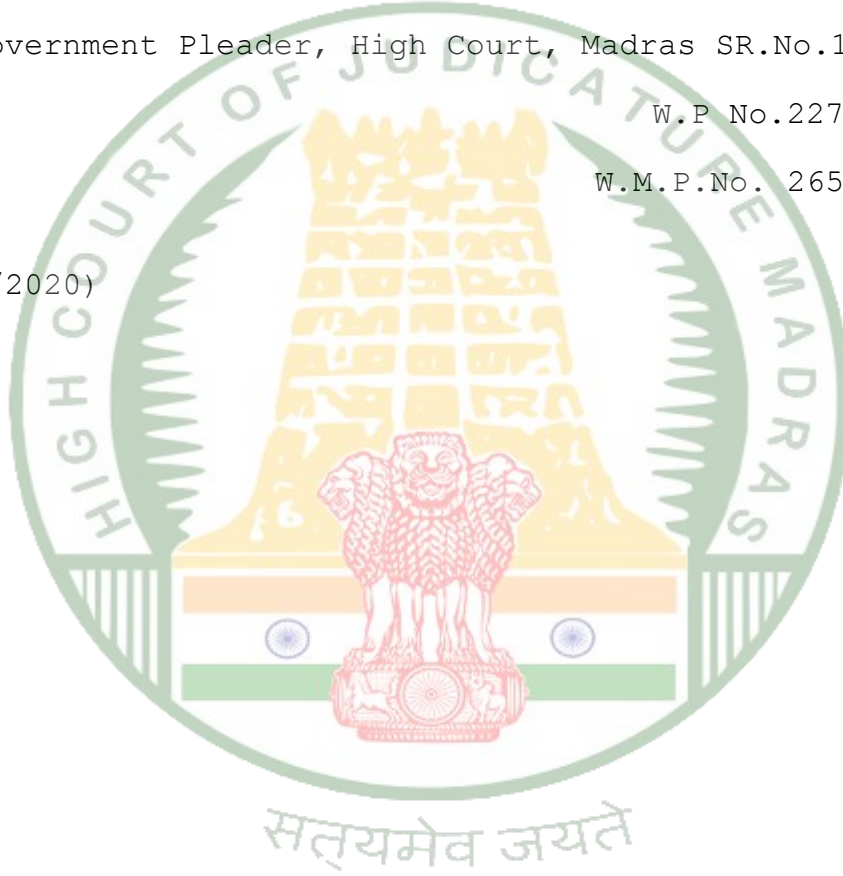
The Member Secretary,
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+1cc to Mr.T.Padmanabhan, Advocate SR.No.13347

+1cc to Government Pleader, High Court, Madras SR.No.14205

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GP (CO)
GMY (19/02/2020)



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