

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.9982 of 2020

and

W.M.P.No.12131 of 2020

T.S.Narayana Raju

... Petitioner

vs.

The Managing Director,
TASMAC Limited,
Egmore, Chennai - 8.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the Respondent to select and issue appointment order to the Petitioner for the post of Junior Assistant through Re-Deployment Scheme.

For Petitioner : Mr.D.Bharathy

For Respondent : Mr.M.John Kennady

O R D E R

Petitioner has come up with this Writ Petition seeking a direction to the Respondent to select and issue appointment order to him for the post of Junior Assistant through Re-Deployment Scheme.

2. According to the Petitioner, he joined the services of the Respondent as Supervisor in the year 2003 in Shop No.8875 and subsequently, transferred and posted in Shop No.8909 at Ambattur. Thereafter, he was deputed to the post of Junior Assistant and posted at Sembarampakkam TASMAC shop, Tiruvallur East Office, where he worked for the past four years between 2013 and 2017. Thereafter, the Petitioner made a representation to the Respondent in the year 2008 to consider him for the post of Junior Assistant through Re-deployment Scheme. According to the Petitioner, he belongs to MBC (DC) community and has completed Post Graduate Course in the year 2010 and has obtained technical qualification in Typewriting - Tamil and English in First class.

3. Learned counsel for the Petitioner submitted that, the cut-off marks for the Petitioner's Community was fixed at 60%,

whereas, he has secured only 57%. Further, out of 500 Junior Assistant posts, 492 were filled up and 8 posts were kept vacant. That apart, 7 persons resigned from the post of Junior Assistant, thereby, there are 485 vacancies in the said post as on date. It is represented by the learned counsel that, the Petitioner has rendered services in Accounts and Legal section and has got more experience than other candidates, and there is every justification in his representation seeking re-deployment as Junior Assistant.

4. Mr.M.John Kennedy, learned counsel, who took notice for the Respondent at the time of admission submitted that, out of 500 seats, 492 seats were filled up and remaining 8 seats are earmarked for candidates under 'Handicapped Quota'. He admitted that, 7 persons have resigned from the post of Junior Assistant. He further submitted that the cut-off marks for MBC (DC) community is 60%, whereas, the Petitioner has admitted that, he has secured only 57%. Hence, according to the learned counsel, there is no question of relaxation in the percentage of cut-off marks, thereby enabling the Petitioner to be appointed as Junior Assistant through re-deployment.

5. When, according to the Petitioner, he belongs to MBC (DC) Community and the cut-off marks for the said Community is 60% and that, the Petitioner has secured only 57%, there is no possibility of relaxation in the percentage of cut-off marks, as averred by the learned counsel appearing for the Respondent. Hence, the Petitioner will not be entitled to the relief sought for.

In view of the foregoing, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To:
The Managing Director, TASMAC Limited, Egmore, Chennai - 8.

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PA (CO)
SP(07/10/2020)