

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.10.2020

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

WP.NO.12293 OF 2020

AND

W.M.P.NO.15091 OF 2020

V.Vinoth

.... Petitioner

Versus

1. Union of India,
Represented by its Chief Secretary,
Jail Department, Chief Secretariat,
Puducherry - 605 001.
2. The Secretary to Government,
Home Department, Chief Secretariat,
Puducherry - 605 001.
3. The Inspector General of Prisons,
Jail Department, Puducherry - 605 001.
4. The Chief Superintendent of Jails,
Jail Department, Puducherry - 605 001.

... Respondents

PRAYER :

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to appoint the petitioner to the post of Male Jail Warden under the respondents by treating him as an OBC candidate as he had secured the highest marks under OBC category in the waiting list dated 30.07.2020 with all consequential benefits including arrears of pay and allowances.

For Petitioner : Ms.K.Nithyashree

For Respondents : Mr.R.Syed Mustafa

ORDER

This writ petition has been filed to issue a Writ of Mandamus, directing the respondents to appoint the petitioner to the post of Male Jail Warden under the respondents by treating him as an OBC candidate as he had secured the highest marks under OBC category in the waiting list dated 30.07.2020 with all consequential benefits including arrears of pay and allowances.

2. When the matter is taken up for hearing, Mr.R.Syed Mustafa, learned counsel appearing for the respondents would submit that the respondent Department has already been notified under the provision of the Administrative Tribunal Act, 1985. Therefore, the claim of the petitioner is squarely fall within the jurisdiction of the Central Administrative Tribunal and not before this Court.

3. In view of the same, the writ petition stands dismissed. It is open to the petitioner to approach the appropriate forum, to work out his remedies, if he is so advised. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

gsk/mp
To

1. The Chief Secretary to union of India,
Jail Department, Chief Secretariat, Puducherry - 605 001.
2. The Secretary to Government,
Home Department, Chief Secretariat, Puducherry - 605 001.
3. The Inspector General of Prisons,
Jail Department, Puducherry - 605 001.
4. The Chief Superintendent of Jails,
Jail Department, Puducherry - 605 001.

+1cc to Mr.G.S.Vivek Mani, Advocate, S.R.No.34643

+1cc to the Government Pleader, Puducherry, S.R.No.34408

W.P.No.12293 of 2020
and WMP.No.15091 of 2020

GJ(CO)
CS/05/11/2020