

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.34642 of 2019
and W.M.P. No.35393 of 2019

Manigandan

Petitioner

vs.

1. The Chairman cum Managing Director,
TANGEDCO,
Anna Salai, Chennai.
2. The Superintending Engineer,
Krishnagiri Electricity Distribution Circle,
110/33-11, KV SS Campus,
TNHB Phase-II, Kattiganapalli,
Royakotta Road, Krishnagiri,
Krishnagiri District.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondent to appoint the petitioner for the post of Gangman (Trainee) under the priority.

For Petitioner : Mr.K.Thiruvengadam
For Respondents: Mr. S. Anand Gopal
for M/s.T.Gopalan & Co

O R D E R

This writ petition has been filed for issuance of writ of mandamus directing the respondents to appoint the petitioner to the post of Gangman (Trainee) under the priority quota.

2.The case of the petitioner is that the respondents have issued notification dated 07.03.2019 inviting applications for the post of Gangman (Trainee) in the Electricity Board. The petitioner had applied for the said post and he was called for certificate verification and physical test on 28.11.2019. During the physical test, the petitioner was not able to fulfill the requirements of climbing the Electric post and therefore, his candidature was rejected. Challenging the same, the present writ petition has been filed.

3.The learned counsel for the petitioner submitted that the petitioner is suffering from disability which makes him incapable of climbing the Electric post. The learned counsel submitted that the respondents have specifically provided a quota under Differently Abled Persons (DAP) and the concerned candidates cannot be tested on par with regular candidates.

4.Per contra, the learned counsel appearing on behalf of the respondents submitted that the petitioner did not apply under Differently Abled Persons quota. In order to substantiate his submission, the learned counsel brought to the notice of this Court, the application form that was submitted by the petitioner wherein the petitioner has specifically stated "No" against the column DAP. The learned counsel submitted that the petitioner falls under the 'General' category and since, he was not able to fulfill the requirements during the physical test, the candidature of the petitioner was rejected. The learned counsel, therefore, submitted that there are absolutely no grounds to entertain the relief sought for by the petitioner.

5.This Court has carefully considered the submissions made on either side and also the materials available on record.

6.The petitioner has approached this Court on the premise that he applied for the post of Gangman (Trainee) under the Differently Abled Persons quota. On this premise, the petitioner states that he will not be able to fulfill the physical test of climbing the Electric post.

7.The petitioner in order to make this claim, should have applied under the Differently Abled Persons quota. However, the application form shows that he has only applied under the 'General' quota and he has specifically stated "No" against the column DAP. Therefore, the very claim made by the petitioner in the present case is unsustainable. This Court does not find any ground to entertain this writ petition.

8.In the result, this writ petition stands dismissed. Consequently, connected miscellaneous petition is closed. No Costs.

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

ssr

1. The Chairman cum Managing Director,
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+1 CC to Mr.T.S. Gopalan & Co, sr 2468.

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NMI (CO)
SP(13/02/2020)



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