



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.675 of 2014

and

M.P. (MD)Nos.1 and 2 of 2014

WEB COPY

M.Venkatesh

... Petitioner

Vs.

The Reserve Bank of India,
Shahid Bhagat Singh Road,
Fort, Mumbai-400 001,
represented by its General Manager,
Human Resource Management Department.

... Respondent

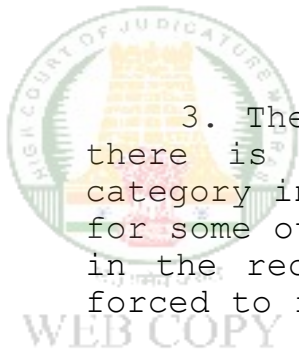
PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned e-mail communication dated 19.11.13 received from the respondent, quash the same as illegal and consequently direct the respondent to consider the petitioner for appointment to the post of Assistant within the period that may be stipulated by this Court.

For Petitioner : Mr.M.E.Ilango
For Respondent : Mr.K.R.Laxman

ORDER

The order dated 19.11.2013 stating that the petitioner's score was 117 in the selection and the cut off mark for the general candidates in Chennai was 128 and therefore he was not selected. Further the impugned communication states that there was no scope for vertical reservation for ex-service men and horizontal reservation alone is permissible, even as per the notification. The relief sought is to quash the communication dated 19.11.2013 and to consider the case of the writ petitioner for appointment to the post of Assistant.

2. Learned Counsel appearing on behalf of the writ petitioner states that the petitioner is an ex-service man and applied for recruitment to the post of Assistant in the respondent Bank. He applied for Chennai and as per the recruitment notification, three posts are allotted for ex-service men. Learned Counsel further contended that the impugned communication is erroneous and contrary to the vacancies notified in the advertisement.



3. The contention is that if the respondents had informed that there is no scope for vertical reservation for ex-service men category in Chennai region, the petitioner would have opted to apply for some other region. In view of the fact that there is no clarity in the recruitment notification in this regard, the petitioner is forced to file the present writ petition.

4. The recruitment notification is annexed in page No.2 of the typed set of papers filed along with the writ petition. Notification states that the reservation for PWD/EXS is horizontal reservation and included in the vacancies of various categories. Ex-service men quota is a special category and therefore horizontal reservation is provided. The impugned order also unambiguously states that the vertical reservation cannot be granted for ex-service men. The candidates are bound by the recruitment notification issued for the posts.

5. This apart, the petitioner scored 118 marks. However the cut off mark for the general candidates in Chennai was 128. Thus he was unsuccessful in the process of selection. An unsuccessful candidate cannot question the conditions stipulated in the recruitment notification. In any case, the case of the writ petitioner cannot be considered in view of the fact that he was not placed within the zone of consideration to the post notified. Thus the relief as such sought for by the writ petitioner cannot be granted. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, the connected Miscellaneous Petitions are also dismissed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SSL

W.P. (MD) No.675 of 2014

02.11.2020

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