

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2021

CORAM

THE HON'BLE MR.JUSTICE R. SURESH KUMAR

Writ Petition No.19719 of 2010

A.Govindan

... Petitioner

-Vs-

The Chief Engineer / Personnel
Tamilnadu Electricity Board
Administration Branch
144, Anna Salai, Chennai-2.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus to direct the respondent to appoint the petitioner as Assessor.

For Petitioner : Mr.S.Ilamvaludhi
For Respondents : Mr.Karthik Rajan

O R D E R

The prayer sought for herein is to direct the respondent to appoint the petitioner as Assessor.

2. The petitioner applied for appointment to the post of Assessor at the respondent Tamilnadu Electricity Board some time in the year 2009. Accordingly, his application was considered. He had also undergone the process of selection, where based on the marks obtained by each of the candidate in the S.S.L.C., examination, 85 marks will be the marks out of 100 and the remaining 15 marks would be given to the candidate's marks obtained in Viva-Voce.

3. Herein in the case on hand, it is the case of the petitioner that, though he obtained good marks in S.S.L.C., and did well in the interview, and he should have been selected in the communal category of S.C (General) Non-priority, to which he belongs, he was not considered for selection and appointment and therefore, seeking mandamus to give a direction to the respondent to select him and appoint him as Assessor, this writ petition was filed.

4. Mr.Ilamvaludhi, learned counsel for the petitioner has reiterated the aforesaid and seeks the indulgence of this Court for issuance of a writ of mandamus.

5. However, Mr.Karthik Rajan, learned Standing Counsel for the respondent, on instructions, would submit that, the petitioner belonged to S.C.(General) Non-priority category, where the cut off was fixed as 60.05 ie., the last person to be selected in that particular category should have secured 60.05 marks, whereas the petitioner secured only 51.60 marks, which is far behind the cut-off in that communal category and even in any other category, where the cut-off marks was much higher. Therefore, on merits only the candidature of the petitioner was not considered and rejected.

6. In view of the categorical submission made by the learned Standing Counsel, on instructions from the respondent, which would disclose that, the petitioner secured only 51.60 marks, whereas the cut off marks for the communal category of S.C. (General) Non-priority was fixed at 60.05 marks. Hence, the question of considering the candidature of the petitioner for selection and appointment to the post of Assessor does not arise. Hence, the mandamus as sought for by the petitioner cannot be granted.

7. Accordingly, this writ petition fails and hence the same is dismissed. No costs.

Sd/-
Assistant Registrar (CS.II)

/True Copy/

Sub Assistant Registrar

To

The Chief Engineer / Personnel
Tamilnadu Electricity Board
Administration Branch
144, Anna Salai, Chennai-2.

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