



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:17.03.2021

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P (MD) .No.11441of 2017

and

W.M.P. (MD) .No.8811 of 2017

G.Rajesh

.. Petitioner

Vs.

1.The Medical Services Recruitment Board,
Rep. by its Member Secretary,
Government of Tamilnadu,
7th Floor, DMS Building,
No.359, Anna Salai, Teynampet,
Chennai- 600 006.

2.The Assistant Director,
The District Employment Officer,
Department of Employment and Training,
Tanjore.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents to call the petitioner for certificate verification for the post of Plaster Technical Grade-II in the category of Scheduled Caste and Inter-Caste Marriage(ICM) and appoint the petitioner in the post of Plaster Technician Grade-II with consequential benefits within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondent No.1 : Mr.T.S.Mohammed Mohideen

For Respondent No.2 : Mr.A.Karthick
Government Advocate



ORDER

This writ petition has been filed for a direction to the respondents to call the petitioner for certificate verification for the post of Plaster Technical Grade-II in the category of Scheduled Caste and Inter-Caste Marriage(ICM) and appoint the petitioner in the post of Plaster Technician Grade-II with consequential benefits within a time frame.

2. The case of the petitioner is that the petitioner belongs to Scheduled Caste community and he has completed his certificate course in Orthopaedic Technician with Government Medical College Hospital, Tanjore during 2005-06 and the same was registered before the second respondent. He has married one Neeladevi, who belongs to De-notified community (DNC) on 03.9.2013 and the Tahsildar, Tanjore has issued inter-caste marriage certificate on 31.10.2013. In the meantime, the first respondent issued notification for recruitment of 87 posts of Plaster Technician Grade-II and called for application from the eligible candidates. The petitioner has participated in the selection process and secured higher marks. Thereafter, the first respondent published 100 persons name, who were called for certificate verification, however, the petitioner's name was not found in the said list. Hence, the petitioner sent a representation to the first respondent to appoint him in the said post. Since the same was not considered so far, the present writ petition has been filed.

3. The learned counsel for the petitioner would submit that it would be suffice if a direction is issued to the respondents to consider the representation of the petitioner dated 10.6.2017 within a reasonable time as fixed by this Court.

4. The learned counsel appearing for the first respondent filed counter stating that though the petitioner belongs to Scheduled Caste category, he has secured 24.39 weightage of marks whereas the last candidate called for certificate verification in SC category has obtained 29.67 marks. Hence, he was not called for certificate verification.

5. Heard the learned counsel appearing for the petitioner as well as the learned counsel appearing for the first respondent and the learned Government Advocate appearing for the second respondent and also perused the materials placed on record.

6. Considering the facts and circumstances of the case, the fact in the present case is not disputed. Admittedly, the petitioner belongs to Scheduled Caste community and he has



obtained inter-caste marriage certificate. The grievance of the petitioner is that though he has secured more marks, he was not called for certificate verification for the post of Plaster Technician Grade-II. However, it appears that the petitioner scored 24.39 marks whereas the last candidate called for certificate verification in SC category has obtained 29.67 marks. In view of the same, the prayer sought for in this writ petition cannot be considered.

7. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

PJL

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Member Secretary,
Medical Services Recruitment Board,
Government of Tamilnadu,
7th Floor, DMS Building,
No.359, Anna Salai, Teynampet,
Chennai- 600 006.

2.The Assistant Director,
The District Employment Officer,
Department of Employment and Training,
Tanjore.

+1 CC to M/s.SPL GP (SR-12121[F] dated 18/03/2021)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-12171[F] dated 18/03/2021)

+1 CC to M/s.T.S.MOHAMED MOHIDHEEN, Advocate (SR-12424[F] dated 19/03/2021)

W.P (MD) .No.11441of 2017

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RK (13.05.2021) 3P 6C

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