



W.P.No.10603 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.10603 of 2016

P.S.Venkatesan

... Petitioner

Vs.

The Director of Sericulture,
Nethaji Nagar, Hasthampatty,
Salem – 636 007.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondent to consider the petitioner for appointment to the post of Assistant Inspector of Sericulture pursuant to the notification issued by the Respondent in Notification No.01/2016 by following the Statutory Reservation provided under Section 33 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995.

For Petitioner

: Mr.J.Lakshmi Narayanan

For Respondent

: Mr.S.Rajesh
Government Advocate



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ORDER

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The relief sought for in the present writ petition is to direct the respondents to consider the writ petitioner for appointment to the post of Assistant Inspector of Sericulture, pursuant to the recruitment notification No.01 of 2016 and by extending the reservation provided to the Differently-abled persons.

2. The petitioner states that he completed M.Phil (Zoology) and M.Phil (Education). He is Differently-abled candidate issued with an ortho disability certificate with 50% of disability. The petitioner participated in the process of selection pursuant to the recruitment notification issued by the respondents and he was not selected under the quota allotted to the differently-abled candidates.

3 .In this context, the respondent filed counter affidavit stating that as per the recruitment notification No.1 of 2016 dated 13.01.2016 under the heading 10.General information the communal roaster for filling of the vacancies has been followed, As per G.O.(Ms).No.142, Personnel and Administrative Reforms (K) Department dated 14.10.2009, 200 points of



roaster is maintained following priority and non priority candidates at ratio of 1:4 and in addition to this, the rule of reservation also has been followed in the present direct recruitment to the post of Assistant Inspector of Sericulture and Junior Inspector of Sericulture 2015-2016. Hence, the allegations levelled against the respondent by the petitioner are baseless and devoid of merits.

4. The judgments and decisions of the Hon'ble Supreme Court of India referred by the petitioner in the affidavit have no relevance to this instant case, since the respondent has followed the Rules of Reservation scrupulously in the direct recruitment for the post of Assistant Inspector of Sericulture and Junior Inspector of Sericulture 2015-2016.

5. In the reservation for differently-abled the status of turn stood for the most backward class candidates as detailed below:

<i>Sl.No</i>	<i>Nature of Disability</i>	<i>Rotation No.</i>	<i>Turn No.</i>
1	Blind	5 th	57
2	Deaf	1 st	83
3	Orthopeadically disabled	4 th	27

Since, the total number of vacancies for the post of Assistant Inspector of



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Sericulture 2015-2016 were 43 only, the turn for the petitioner as an orthopaedically differently-abled candidate did not arrive at all and hence the petitioner was not selected for the post of Assistant Inspector of Sericulture 2015-2016.

6. In view of the fact that the petitioner was not within the zone of consideration, he was not considered for selection and appointment. Further, the process of selection was concluded in the year 2016. This being the factum, no further consideration is required.

7. Accordingly, the Writ Petition stands dismissed. No costs.

04.11.2022

Jeni

Index : Yes
Speaking order

To

The Director of Sericulture,
Nethaji Nagar, Hasthampatty,
Salem – 636 007.



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S.M.SUBRAMANIAM, J.

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