



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.3822 OF 2014

&

M.P.NO.2 OF 2014

Dr.V.Babu Prasath

...Petitioner

-Vs-

1. The Commissioner,
Commissionerate of Indian
Medicine and Homeopathy,
Arumbakkam, Chennai -106.

2. The Deputy Director,
Professional and Executive
Employment Office,
Guindy, Chennai - 32.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus to call for the proceedings of the second respondent in Advertisement no.3/2014, published in internet, dated 03.02.2014 and quash the same in so far as it does not earmark quota for SC (Arunthathiyer) category for the post of Consultant (Yoga and Naturopathy) under the first respondent under NRHM scheme and consequently direct the first respondent earmark quota for SC (Arunthathiyer) as per Tamilnadu Act 4/2009 dated 01.04.2009 and consider the candidature of the petitioner who happens to be a person from SC(Arunthathiyer) community for the post of Consultant(Yoga and Naturopathy) under under NRHM scheme.

For Petitioner : Mr.S.Mahesh
For S.V.Vijay Shankar

For Respondents : Mr.M.Bindran
Additional Government Pleader



ORDER

The recruitment Advertisement No.3/2014 dated 03.02.2014 is under challenge in the present Writ petition. The Notification was issued for selection to the post of Consultant (Yoga and Naturopathy) in the Department of Indian Medicine and Homeopathy.

2. The grievance of the petitioner is that in the impugned Notification, there is no inclusion of backlog vacancies for SC (Arunthathiyer) community. However, the learned Additional Government Pleader for the respondents made a submission that a person appointed in the said SC (Arunthathiyer) resigned subsequently. Therefore, such vacancy cannot be treated as backlog vacancy. But the fact remains that the process of selection was concluded in the year 2016 and the petitioner has now challenged the recruitment notification.

3. Thus, no further adjudication needs to be entertained in respect of his grievance. If at all any such grievance exists as of now, the petitioner is at liberty to pursue with reference to his quota in the matter of recruitment.

4. With the above observations, this Writ petition stands disposed of. No costs. Connected miscellaneous petition stands closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

mrm

To

1. The Commissioner,
Commissionerate of Indian
Medicine and Homeopathy,
Arumbakkam, Chennai -106.



2. The Deputy Director,
Professional and Executive
Employment Office,
Guindy, Chennai - 32.

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