



WEB COPY



WP No.25436 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27-10-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

**WP No.25436 of 2018
And
WMP No.29593 of 2018**

Sarasu

..

Petitioner

VS.

1.The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited,
Tamil Nadu Electricity Board,
10th Floor, NPKRR Maaligai,
144, Anna Salai,
Chennai – 600 002.

2.The Chief Engineer (Personnel),
Tamil Nadu Generation and Distribution
Corporation Limited,
Tamil Nadu Electricity Board,
10th Floor, NPKRR Maaligai,
144, Anna Salai,
Chennai – 600 002.

..

Respondents



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Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to appoint the petitioner as Junior Assistant/Administration or Accounts under the Priority Category based on the marks secured by her forthwith.

For Petitioner : Mr.V.Sivaraman for
Mr.M.R.Jothimanian

For Respondents : Mr.P.Subramanian,
Standing Counsel for TANGEDCO.

O R D E R

The relief sought for in the present writ petition is to direct the respondents to appoint the petitioner as Junior Assistant/Administration or Junior Assistant/Accounts under the Priority Category based on the marks secured by her forthwith.

2. The petitioner participated in the process of selection for appointment to the post of Junior Assistant.

3. The contention of the petitioner is that she is eligible and falling within the zone of consideration for appointment to the post of



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Junior Assistant/Accounts. Despite the fact that the petitioner was within the zone of consideration, she was not appointed in the said post. Thus, the petitioner is constrained to move the present writ petition.

4. The learned Standing Counsel appearing on behalf of the respondent-TANGEDCO objected the said contention by stating that the petitioner had applied for selection to the post of Junior Assistant/Administration and she is not eligible for the post of Junior Assistant/Accounts, as she was not within the zone of consideration.

5. The contention of the petitioner is that her name was found in the list of Junior Assistant/Accounts. When she has written the examination for Junior Assistant/Administration will itself depict that she has tampered the records with the motive to obtain appointment in the respondent-TANGEDCO. The petitioner as per the respondents had applied only for selection to the post of Junior Assistant/Administration and not for the post of Junior Assistant/Accounts.



6. As far as the post of Junior Assistant/Administration is concerned, the petitioner was not within the zone of consideration as she had scored 34.35 and the cut-off mark was 46.07. In this regard, paragraphs 7 to 9 of the counter-affidavit filed by the respondents, are relevant and the same reads as under:-

“7. I respectfully submit that the facts stated in paras 3, 4, 5 and 6 of the affidavit filed by the petitioner are true to the extent that she has applied for the post of Junior Assistant/Administration (REG.No.1711190346) under priority category (Inter-Caste Marriage) and has also appeared in the written examination and has scored 29.56 marks. Based on the cut-off marks in the MBC Community under priority category, she was called for interview and she also attended the interview. In total, after taking into account of the academic marks along with the written examination and interview marks, she has obtained 34.35 marks out of 100.

8. I further respectfully submit that, the selection cut-off marks for Junior Assistant/Administration under priority category



for MBC/DC women is 42.55 (for Tamil Medium Candidates) and 46.07 for others. The statement of the petitioner that her name was found in J.A./Accounts list stated to have been published in the website is totally false. The petitioner has passed Bachelor of Arts and hence was only eligible for applying to the post of Junior Assistant/Administration and has also applied for the post of Junior Assistant/Administration only. The petitioner cannot even apply to the post of Junior Assistant/Accounts for which the prescribed qualification is a pass in B.Com Degree. The Serial No.146 of J.A./Accounts cited by the petitioner relates to Thiru J.Ravi (Regn.No.1118150366, Interview Sl.No.146 and System Sl.No.79) and to Thiru S.Loganathan (Regn.No.1111150450, Interview Sl.No.244 and System Sl.No.146). The petitioner statement that her name was found in the list of J.A./Accounts when she has written the examination for J.A./Administration will itself depict that she has tampered the records with the motive to obtain appointment in the TANGEDCO.

9. I respectfully submit that, the statement of



the petitioner that candidates who have scored lesser marks under ICM priority category in Junior Assistant/Administration is totally false and no candidates below thereafter cut-off marks specified in the above para have been selected under MBC/DC Community under ICM Priority Category. The cut-off marks of 29.56 out of 100 relied by the petitioner is cut-off marks for Junior Assistant/Accounts and having applied for Junior Assistant/Administration, the claim of the petitioner to consider for J.A./Accounts and relying on the cut-off of J.A./Accounts are totally wrong and those illegal claims were made only with the motive to get appointment in TANGEDCO by hook and crook. The petitioner is not eligible for applying to Junior Assistant/Accounts and has also not applied to the said post.”

7. In view of the fact that the petitioner was not within the zone of consideration, as she has scored lesser marks for selection to the post of Junior Assistant/Administration, no further consideration needs to be undertaken in respect of the grounds raised in the present writ petition.



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8. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, the connected miscellaneous petition is also dismissed.

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Index : Yes/No.

Internet : Yes/No.

Speaking Order/Non-Speaking Order.

Svn

To

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S.M.SUBRAMANIAM, J.

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