



W.P.(MD)No.7480 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated :- 21.04.2022

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No.7480 of 2017

and

W.M.P(MD).Nos.5857, 5858 and 13082 of 2017

A.Saravanan

... Petitioner

Vs.

1.The Principal Chief Conservator of Forests,
9th Floor, Panagal Building,
Saidapet,
Chennai-15.

2.Tamil Nadu Forest Uniformed Services Recruitment committee,
Rep. by its Chairman,
O/o.Principal Chief Conservator of Forests,
9th Floor, Panagal Building,
Saidapet, Chennai-15.

3.K.Kanagaraj

4.R.Ananth

... Respondents

***(R3 and R4 are impleaded vide Court Order dated 13.12.2017 in W.M.P.No.
18631 of 2017.)***



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call the records on the file of the second respondent in connection with the impugned order of Provisional Selection list published in his Proceedings No. Nil dated Nil for appointment to the post of Forester and quash the same as illegal and arbitrary in so far as the petitioner is concerned in the Sports Quota reservation and thereby consider and appoint the petitioner in the post of Forester with all service and monetary benefits within the time limit that may be stipulated by this Court.

For Petitioner : Mr.K.Gurunathan
For Respondents : Mr.Veera Kathiravan
1 and 2 AAG Assisted by
M/s.Farjana Ghoushia

ORDER

This Writ Petition has been filed to quash the impugned order of Provisional Selection List published for appointment to the post of Forester and consider and appoint the petitioner in the post of Forester with all service and monetary benefits.

2.The petitioner is qualified as B.Sc., Maths and B.Ed., The petitioner is a sports person and he was placed in third place in the Long Jump and 2nd place in



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the Javelin Throw conducted in the District Level in Kanyakumari District for the year 2013 to 2014 as well as secured 3rd place in Javelin Throw in Zonal level for the year 2013 to 2014 conducted at Tirunelveli.

3.The second respondent has issued Notification for filling the post of Forester, Field Assistant in the Tamil Nadu Forest Department as well as the Tamil Nadu Forest Plantation Corporation Limited Arasu Rubber Corporation limited. The petitioner applied for the said posts and participated in the written examination and he had secured 106.40 marks in the Scheduled Caste General Sports Quota. The second respondent issued the Interview call letter to the petitioner and he was participated in the interview. The petitioner expect that he will be appointed as Forester in the Sports Quota.

4. The second respondent has issued the list of provisionally selected persons in the official website on 17.04.2017, in which the petitioner's name was not included and he was surprised that two persons who secured marks lower than the petitioner, but they were selected to the said posts. The petitioner feels that the respondents failed to consider the sports particulars of the petitioner. Aggrieved over the same, the present writ petition has been filed.



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5. A counter affidavit has been filed by the second respondent, wherein it is stated that the petitioner has participated only in District Level sports. In the notification it is specifically stated that University or State or National or International Level alone are eligible under Sports Quota. Since the petitioner has played only District Level Sports competition, the petitioner cannot be considered under the Sports Quota.

6. The petitioner has alleged one Mr. R. Ananth was appointed under Sports Quota but the petitioner was not appointed. The respondents submitted that as far as Mr.R. Ananth is concerned, the said person has been considered and selected under Sports Quota as recommended by the Sports Development Authority of Tamil Nadu and he had secured 92.40 marks. Moreover, the said Ananth has played in National level. Out of 37 candidates, the Sports Development Authority of Tamil Nadu recommended 8 candidates as having met the required criteria for being selected under sports quota and the balance 29 candidates were considered as unfit for consideration under the quota.



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7. The next contention raised by the petitioner is that one Mr.K.Kanagaraj was selected under Sports Quota. The respondents have submitted that the said Mr.K.Kanagaraj is not coming under the Sports Quota, but his name has been considered for selection, since he has secured 176.17 marks in total under SC General Turn quota, whereas the petitioner has secured only 127.90 marks in total. Therefore the allegation of the petitioner against the said Mr.K.Kanagaraj is incorrect and hence the claim of the petitioner ought to be rejected.

8. Heard Mr.K.Gurunathan the Learned Counsel for the petitioner and Mr.Veera Kathiravan, the learned Additional Advocate General assisted by M/s.Farjana Ghoushia appearing for the respondents and perused the records

9. On perusal of records, it is seen that the petitioner has played only the District Level competition and he has not played in State Level or National Level. Therefore, the petitioner cannot claim to consider him under sports quota. As far as Mr.Ananth and Kanakaraj are concerned, the second respondent in his counter affidavit stated that the said Ananth has secured 78.50 marks in the written examination and has also played in the National Level and hence he was selected



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under the Sports Quota. As far as the said Kanagaraj, the respondent had submitted that the said Kanagaraj was not considered under the sports quota and his name has been considered for selection since he had secured 176.17 marks in total under SC General Turn quota, whereas the petitioner has secured only 127.90 marks in total. Hence the allegation of the petitioner is on wrong facts and hence this Court is of the considered opinion that the petitioner has not made out any case and the writ petition is liable to be dismissed.

10. For the reasons stated supra, this Court is of the considered opinion that the writ petition is devoid of any merits and hence this Writ Petition is dismissed. Consequently, the connected Miscellaneous Petitions are closed. No Costs.

21.04.2022

Index : Yes / No

Internet : Yes

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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 Principal Chief Conservator of Forests,
9th Floor, Panagal Building,
Saidapet,
Chennai-15.
- 2.Tamil Nadu Forest Uniformed Services Recruitment committee,
Rep. by its Chairman,
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S.SRIMATHY, J

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Pre-delivery Order made in
W.P.(MD)No.7480 of 2017

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