



W.P.(MD)No.7599 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.11.2022**

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THE HON'BLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.7599 of 2017

and

W.M.P.(MD)Nos.5933 & 5934 of 2017

S.Seerin Farhana

... Petitioner

Vs.

1. Tamil Nadu Water Supply and Drainage Board,
represented by its Managing Director,
31, Kamarajar Salai,
Chepauk, Chennai – 600 005.

2. The Secretary-cum-General Manager,
Tamil Nadu Water Supply and Drainage Board,
31, Kamarajar Salai,
Chepauk, Chennai – 600 005.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records on the file of the second respondent in pursuant to the impugned provisional selection list published in his official website, vide his proceedings No.Nil dated Nil and quash the same as illegal, arbitrary and unconstitutional and consequently direct the respondents to follow



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roaster and to publish the result afresh with cut off marks secured by the candidates of different category and thereby consider the petitioners case for appointment to the post of Assistant Engineer for the year 2015 iether under Backward class Muslim or Backward Class Muslim (Women) category within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.R.Satheesh
Standing Counsel

ORDER

This writ petition is filed challenging the selection process of the respondents Board.

2. The grievance of the petitioner is that in spite of marks 73.15, the petitioner was not selected. The petitioner has questioned the transparency in the selection process. The petitioner submitted that in the notification it has been stated that preference will be given to Post Graduate or Post Graduate Diploma in Public Health Engineering. Since the petitioner is having Post Graduate in Civil Engineer, he should be



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given preference in the selection process. Moreover, the notification states that the respondent is going to fill up 175 Civil Engineer posts and 25 Mechanical Engineer Posts. In the final list, the respondents have published that there is no indication in which category the selected candidates have come either Civil or Mechanical. Therefore, the petitioner is alleging there was no transparency in the recruitment process.

3. The petitioner is an unsuccessful candidate claiming he should be given preference since he is possessing Post Graduate in Civil Engineering. On perusal of the notification, it is seen that the preference is given to the persons possessing Post Graduate or Post Graduate Diploma in **Public Health Engineering**. The petitioner is having Civil Engineering and not Public Health Engineering and hence the claim of the petitioner to grant preference to him is erroneous.

4. The petitioner alleges that there is no indication in which category the selected candidates have come either Civil or Mechanical.



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But the petitioner has not placed any materials to substantiate his claim.

Therefore, this Court is inclined to pass the following orders:

(i) The petitioner shall submit a representation to the respondent raising the transparency question and other queries which the petitioner is inclined to.

(ii) The respondents shall pass orders/reply to those queries. In case, if the petitioner is aggrieved over from such reply, the petitioner is at liberty to challenge the same.

(iii) The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. With the above said direction, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

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Index : Yes / No
Internet : Yes / No
jbr



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S.SRIMATHY, J

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