



W.P.(MD)Nos.4837 & 8426 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2022

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)Nos.4837 & 8426 of 2016

and

W.M.P.(MD)Nos.6794, 4352, 4353 & 8055 of 2016

W.P.(MD)No.4837 of 2016

G.Ayyappan

... Petitioner

vs.

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

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of ***Certiorarified mandamus***, to call for the records on the file of respondent in connection with impugned selection list for the post of Junior Inspector of Sericulture 2015-2016, dated-- nil in so for Hindu Scheduled Caste Arunthathiyar Community (SCA) candidates are concerned and quash the same and consequently direct the respondent to include the petitioner name for appointment for the post of Junior Inspector of Sericulture 2015-2016 along with the batch mate within the stipulated time fixed by this Court.



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For Petitioner : No appearance
For Respondent : M/s.Farjana Ghoushia,
Special Government Pleader

W.P.(MD)No.8426 of 2016

C.Amutha

... Petitioner

vs.

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

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India for issuance of *Certiorarified mandamus*, to call for the entire records on the file of respondent in connection with impugned selection list for the post of Junior Inspector of Sericulture 2015-2016, which has been in pursuance to the respondent vide advertisement No.01/2016 dated 13.01.2016 so far as SC candidates are concerned and quash the same within the stipulated time fixed by this Court.

For Petitioner : Mr.R.Anand
For Respondent : M/s.Farjana Ghoushia,
Special Government Pleader

COMMON ORDER

W.P.(MD)No.4837 of 2016 has been filed to quash the impugned selection list for the post of Junior Inspector of Sericulture 2015-2016, dated-- nil



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in so for Hindu Scheduled Caste Arunthathiyar Community (SCA) candidates are concerned and also sought for a consequential direction to the respondent to include the petitioner's name for appointment for the post of Junior Inspector of Sericulture 2015-2016 along with the batch mate, within the stipulated time fixed by this Court.

W.P.(MD)No.8426 of 2016 has been filed to quash the impugned selection list for the post of Junior Inspector of Sericulture 2015-2016, which has been in pursuance to the respondent, vide advertisement No.01/2016 dated 13.01.2016, in so far as SC candidates are concerned, within the stipulated time fixed by this Court.

2. The issues involved in both the writ petitions are one and the same and hence, both the writ petitions are taken up and this common order is passed.

3. Today, when the matter is taken up for hearing the learned Special Government Pleader appearing for the respondent submitted that, already similar issue was decided by this Court. In support of her contention, she also submitted



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an order passed by this Court, dated 14.09.2022 in W.P.No.33983 of 2016. The relevant portion is extracted hereunder:

....

“ 6. This Court is of the considered opinion that, any candidate, who participates in the process of selection, is expected to furnish all the material information in a correct manner and any suppression or falsification or production of bogus certificates, would result in rejection of candidature itself. In the present case, though the petitioner scored 133 marks in the written examination, he was not awarded any mark during the course of the interview, since the Experience Certificate produced by the writ petitioner was found to be not genuine. The petitioner himself signed the certificate and produced the same to the authorities, who conducted the interview, and this being the non-genuineness shown before the Selection Committee by the petitioner, he became ineligible for selection for appointment to the post of Junior Inspector of Sericulture. When the candidate, by his own act, submitted a false or non-genuine certificate, he cannot claim any right for selection by way of filing a writ petition. In view of the fact that the non-genuineness of the Experience Certificate produced by the writ petitioner was found to be the reason for rejection of his candidature, the petitioner is not entitled for the relief as prayed for.



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7.The learned counsel for the petitioner made a submission that the Interview Committee has no jurisdiction to verify the certificate. Such a contention is impermissible, in view of the fact that the notification contemplates that the candidates, who were participating in the process of selection, should furnish the Experience Certificate. When the Experience Certificate was verified by the Interview Committee, it was found to be not genuine. Therefore, the very contention raised by the learned counsel for the petitioner deserves no merit consideration.”

4. Since the similar issue was already discussed by the learned Single Judge of this Court, following the same, this Court is also dismissed both the Writ Petitions. No Costs. Consequently, connected miscellaneous Petitions are closed.

Index : Yes / No

29.11.2022

Internet : Yes

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To

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



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S.SRIMATHY, J

ksa

Common Order made in
W.P.(MD)Nos. 4837 & 8426 of 2016

29.11.2022