



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2023

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.9650 of 2020

Princy Salini

... Petitioner

Vs.

1.The Principal Secretary
School Education Department
Secretariat
Chennai.

2. The Director,
Teachers Recruitment Board,
Chennai.

3. The District Collector,
Perambalur District,
Perambalur.

4. The Chief Educational Officer,
District Collectorate Campus,
Perambalur.

5. Ramachandran.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents 1 to 4 to



initiate action against the fifth respondent and subsequently consider the petitioner's candidature under the priority inter caste marriage (ICM) for the post of computer instructor vide advertise No.07/2014 dated 13.10.2014 by the second respondent pursuance of his representation dated 24.12.2019.

For Petitioner : Mr.M.Subash
For Respondents : Mr.T.Chezhiyan,
Additional Government Pleader,
For R1, R3 & R4.
Mr.C.Kathiravan,
Special Government Pleader,
For R2.
R5 - No appearance.

ORDER

This writ petition has been filed seeking a direction to the respondents 1 to 4 to initiate action against the fifth respondent and subsequently consider the petitioner's candidature under the priority Inter Caste Marriage (ICM) for the post of Computer Instructor vide advertise No.07/2014 dated 13.10.2014 by the second respondent pursuance of his representation dated 24.12.2019.

2. The case of the petitioner is that, pursuant to the notification issued by the second respondent for direct recruitment to the post of Computer Instructors, she had applied for the said post along with necessary documents including the ICM certificate under the category of Scheduled Caste



Community claiming priority of Inter Caste Marriage. After the certificate verification, final selection list of candidates was published by the second respondent through employment seniority under the ICM category. However, the petitioner was not selected and instructed that the fifth respondent was selected and appointed to the said post vide proceedings dated 28.12.2016.

2.1. The petitioner challenged the selection of the fifth respondent on two grounds;

(i) The fifth respondent has suppressed the material facts and that, both himself and his wife belong to the same community and also their marriage is not under ICM category.

(ii) The petitioner has fraudulently made employment registration with the District Employment Office twice and that the petitioner, though senior, as per the Employment Exchange Registration was not selected.

2.3. Raising the above two grounds, the petitioner has given a representation dated 24.12.2019 to the respondents, which has not been considered till date. Hence, the petitioner has come forward with this present writ petition.



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3. The learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents 1 to 4 to consider the petitioner's representation dated 24.12.2019 and pass appropriate orders on merits, within a particular time frame to be fixed by this Court.

4. Heard the learned counsel on either side and perused the materials available on record.

5. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the respondents 1 to 4 to consider the petitioner's representations dated 24.12.2019 and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above observation and direction. No costs.



03.08.2023

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Index : Yes/No

Speaking Order : Yes/No

To:

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Perambalur.

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J.SATHYA NARAYANA PRASAD,J.

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