



WEB COPY



W.P.No.11951 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2023

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.11951 of 2020
and W.M.P.No.14674 of 2020

G.R.Rahul

...

Petitioner

/vs/

1. The Director Agriculture,
Chepauk, Chennai – 5.

2. Joint Director of Agriculture,
District Collector Office,
Nagapattinam,
Nagapattinam District – 611 003.

3. Assistant Director of Agriculture,
Mayiladuthurai,
Nagapattinam District.

...

Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a writ of Mandamus directing the respondents to register the petitioner's degree qualification i.e. B.Sc., Maths in the service register and give promotion to the post of Record Clerk, by considering the



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representation made by the petitioner to the second respondent dated

22.11.2019.

For Petitioner ... Mr.V.Sivalingam
for M/s.C.S.Associates

For Respondents ... Mr.P.Sanjai Gandhi
Government Advocate

ORDER

The petitioner who has been appointed as Watchman has filed this Writ Petition to consider his higher qualification (B.Sc., Maths) and give him promotion to the post of Record Clerk by considering his representation dated 22.11.2019.

2. The petitioner is working as a Watchman and he is a B.Sc (Maths) graduate. A notification inviting to the post of Watchman was issued on 06.05.2015 vide Na.Ka.No.A3/479/2014. The minimum educational qualification for the applicant to apply for the said post is to read and write in Tamil and the maximum educational qualification is 8th Standard fail. However, the petitioner had applied to the said post by stating that he has passed 5th Standard in support of his above declaration. He had also



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furnished Transfer Certificate obtained from his school and that would show that he has passed 5th Standard. Despite the petitioner is a graduate, he suppressed the same knowing pretty well it is over qualification for the job of Watchman. Having suppressed his educational qualification by pretending that he had only completed 5th standard and secured the job, now the petitioner tries to expose his original qualification for securing a promotion.

3. At the very first instance itself the petitioner was not honest and he had meticulously planned to get the job first and then to declare his actual qualification for promotion. In the Service Register also the petitioner's qualification has been stated as 5th Standard pass as per Certificate No.61 and Admission No.950 ADJ, Jeba Ammal Nursery and Primary School, Vellipalayam, Nagapattinam District.

4. For the reasons best known to the respondents, no action has been taken against the petitioner for suppressing those material facts about his qualification. That had been taken advantage by the petitioner to claim further advantages. If such an indiscipline is encouraged and rewarded,



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everyone will follow the same unhealthy practice. The petition not only lacks merits, but it also exposes a cause of action for initiating disciplinary proceedings against the petitioner.

5. In the result, this Writ Petition is dismissed with costs. Connected miscellaneous petition is closed.

14.12.2023

Index: Yes / No
Speaking order / Non-speaking order
bkn



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To:

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R.N.MANJULA ,J.

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