



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 28.08.2023

WEB COPY

Coram:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.15261 of 2017
and WMP No.16562 of 2017

R.Saraswathi

... Petitioner

Vs.

1.The Chief Educational Officer,
Kancheepuram District,
Kancheepuram.

2.The Director,
Directorate of School Education,
Nungambakkam, Chennai – 600 006.

3.The District Collector,
Kancheepuram District,
Kancheepuram.

.... Respondents

Prayer: PETITION filed under Article 226 of the Constitution of India
praying for the issuance of Writ of Mandamus directing the first respondent to
call the petitioner for certificate verification for the post of lab assistant and
appoint the petitioner as lab assistant.

For Petitioner : Mr.G.Vasudevan

For Respondents : Mr.R.Neethi Perumal
Government Advocate



ORDER

This Writ Petition has been filed in the nature of a mandamus seeking a direction to the first respondent, Chief Educational Officer, Kancheepuram District to call the petitioner for verification of her certificates for the post of Lab Assistant and appoint her as Lab Assistant.

2. The petitioner had applied for the post of Lab Assistant in the Directorate of School Education, Government of Tamil Nadu. Examinations were conducted on 31.05.2015. She claimed that she belonged to Scheduled Caste and was also a destitute widow. Her husband died on 15.03.2009. She claimed that she had passed the screening test and scored 71 marks.

3. The petitioner claimed that since she has not received any communication at all from the first and second respondents, she had given a representation on 08.05.2017 to the third respondent and also on 15.05.2017 to the first respondent complaining about the non-appointment. These representations were responded to by the respondents stating that she had not participated in the certificate verification held on 10.04.2017. She had reiterated that she was never intimated this particular aspect of certificate verification on 10.04.2017.

4. In the counter affidavit, it had been very specifically stated that necessary communications had been sent to her by registered post on



03.04.2017. The respondents also placed reliance on the complaint given by them to the Superintendent of Post Offices, Kancheepuram Diivision on 28.06.2017 and the reply given was that the letter had been delivered to the petitioner on 07.04.2017. Necessary documents in this regard had also been enclosed along with the counter affidavit.

5. When the matter came up on 27.07.2023, this Court noting the above fact, had however sought further instructions about the present status from the learned Additional Government Pleader taking into consideration the petitioner's claim that she belongs to the Scheduled Caste and also a destitute widow. It is however pointed out that she had now crossed the eligible age limit to be appointed to the post of Lab Assistant.

6. It is contended that on the basis of her earlier application in the year 2017, she cannot now be considered for the said post. If she had applied subsequently and passed the screening test, then the respondents could have considered her application. But unfortunately, the petitioner had not taken that effort. Hence, mandamus as sought for cannot be granted.

7. This Writ Petition stands dismissed. No costs. Connected Miscellaneous Petition is also dismissed.

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28.08.2023

Index: Yes/No

Speaking/Non-speaking order

Neutral citation: Yes/No



W.P.No.15261 of 2017

C.V.KARTHIKEYAN,J.
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