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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2023

CORAM

THE HON'BLE Mr. JUSTICE **C. V . KARTHIKEYAN**

W. P. No. 18427 of 2017

B. Mownica

.. Petitioner

Vs.

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

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to consider the petitioner for the post of Assistant Engineer (Civil) by adhering the rules of reservation and in the light of completion of certificate verification on 16.09.2016.

For Petitioner

.. Mr. S. S. Swaminathan

For Respondent

.. Mr. S. Shakila Bhanu,
Standing Counsel

**ORDER**

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This Writ Petition has been filed in the nature of Mandamus, seeking a direction against the respondent, Tamil Nadu Water Supply and Drainage Board represented by the Managing Director, to consider the petitioner for the post of Assistant Engineer (Civil) in accordance with the rules of reservation and consequent to the completion of verification of certificate produced by the petitioner on 16.09.2016.

2.The learned counsel for the petitioner stated that the petitioner who belongs to Most Backward Class had secured 91.4% as average in B.E (Civil Engineering). She had then applied for the post of Assistant Engineer (Civil) in the respondent, consequent to an advertisement dated 16.10.2015. She was issued with the hall ticket for the written test, which was scheduled on 14.08.2016. She was then short listed for certificate verification. The certificate verification was held on 06.09.2016. She claimed that she had submitted the original documents and other relevant documents. Since the post was not offered to her or rather that she was not selected or she was not intimated that she was rejected, the present Writ Petition has been filed.



3.The learned Standing Counsel for the respondent stated that on verification of the certificate, it was found that the petitioner had obtained only 86.92 % as average in B.E (Civil Engineering).

4.There is a dispute on the basic fact of the actual marks, which the petitioner had obtained, whether it was 91.4% on the average or 86.92% on the average.

5.Be that as it may, it was also contended by the learned counsel for the respondent, that they have followed the procedures and had actually issued appointment letter to another individual in January 2017 itself.

6.This fact had not been brought to the notice of this Court in this writ petition, which had been filed on 18.07.2017. Even nearly six months prior to that particular date, another individual had been appointed to the post of Assistant Engineer by the respondent. A Mandamus would not lie. But, however, it is only obligatory on the part of the respondent to inform both about rejection of her application and the reason thereof and also the fact that they had already appointed another individual as early on January



2017. This intimation may be given to the petitioner in due course. No further direction can be issued.

7. With the above observations, this Writ Petitions stands dismissed.

No costs.

03.07.2023

Index: Yes/No
Internet: Yes/No
smv

To,

The Managing Director,
Tamil Nadu Water Supply & Drainage Board,
31, Kamarajar Salai,
Chepauk,
Chennai – 600 005.



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C.V.KARTHIKEYAN,J.

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