



W.P.No.6791 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 20.03.2023

Coram:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

**W.P. No.6791 of 2014
and M.P.Nos.1 & 2 of 2014**

R.Chinnappillai
W/o Chidambaram

... Petitioner

Vs.

1.The Secretary to Government
Labour and Employment Department
Government of Tamil Nadu
Fort St.George, Chennai – 600 009.

2.The District Collector
Dharmapuri District.

3.The Commissioner
Backward Classes Welfare Directorate
Government of Tamil Nadu
Chepauk, Chennai – 600 005.

4.The District Backward Classes and Minority Welfare Officer
Backward Classes and Minority Welfare Department
Government of Tamil Nadu
Dharmapuri – 636 705.

5.The Employment Officer
District Employment Office
Dharmapuri – 636 701.

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6.N.Kumudha

W/o N.Elangovan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent in Na.Ka.No.B1/889/2013 dated 15.04.2013 by quashing the same and consequently direct the 3rd respondent to appoint the petitioner in the place of the 6th respondent.

For Petitioner : Mr.S.Jayakumar
For Respondents : Mr.J.C.Durairaj
Addl. Govt. Pleader for RR1 to 5

ORDER

This Writ Petition has been filed challenging the order of the 3rd respondent in Na.Ka.No.B1/889/2013 dated 15.04.2013, whereby the petitioner was not selected to the post of the Cook.

2.It is the contention of the petitioner that she belongs to Adi-Dravidar community and she has been registered with the District Employment Officer, Dharmapuri, the 5th respondent herein and also renewing her



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registration periodically. When the 4th respondent called for direct interview, to fill up the post of Cook, the petitioner along with the 6th respondent attended the interview and the 6th respondent, having scored more marks was appointed by the 3rd respondent. Hence the present Writ Petition.

3.The learned counsel for the petitioner would submit that the 6th respondent registered with the 5th respondent only on 10.05.1999 and she did not renew her employment registration since May 2011. Therefore, as on 08.03.2013, the 6th respondent is not qualified to be called for the interview by the 4th respondent.

4.The learned Additional Government Pleader appearing for the respondents 1 to 5 would submit that the petitioner as well as the 6th respondent attended the interview along with other candidates and among them 6th respondent was appointed by the 3rd respondent, by virtue of merits among others with reference to all the prescribed norms. He would



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further submit that the 6th respondent registered her name with the 5th respondent and her registration was periodically renewed upto October 2015. Therefore, the appointment of the 6th respondent is in accordance with the rules and prayed to dismiss the Writ Petition.

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

6.Admittedly, in the interview held to fill up the post of Cook, in the office of the 4th respondent both the petitioner as well as the 6th respondent participated. It is contended by the learned counsel for the petitioner that the renewal of employment registration of the 6th respondent was not done in time. As per G.O.Ms.No.121, Labour and Employment Department dated 02.09.1996, the employment registration of the 6th respondent was renewed for a further period of 18 months, under the concession extended by the Government through the said GO and thus, there is no question of illegality in selection process of the 6th respondent. Therefore, this court finding no



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merits in the Writ Petition is inclined to dismiss the same.

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7.Accordingly, the Writ Petition stands dismissed. No costs.

Consequently connected miscellaneous petitions are closed.

20.03.2023

Index:Yes/No

Internet:Yes/No

Speaking Order: Yes/No

Neutral citation : Yes/No

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To

1.The Secretary to Government
Labour and Employment Department
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Fort St.George, Chennai – 600 009.

2.The District Collector
Dharmapuri District.

3.The Commissioner
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Government of Tamil Nadu
Chepauk, Chennai – 600 005.

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4.The District Backward Classes and Minority Welfare Officer
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