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W.P.No.16509 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2024

CORAM

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.16509 of 2015

and

W.M.P.No.14176 of 2017

G.Paramesh Priya

...Petitioner

Vs.

1.The Chairman & Managing Director,
Food Corporation of India,
No.16-20, Barakhamba Lane,
New Delhi-110 001.

2.The Executive Director (Southern Region)
Food Corporation of India,
No.3, Haddows Road,
Chennai- 600 006.

3.The Director (Southern Region),
Staff Selection Commission,
2nd Floor, EVK Sampath building,
Colleg Road,



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Chennai-600 006.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified mandamus, praying to call for the records of the respondents in connection with the impugned order passed by the 2nd respondent in office order No.62/RPI/2015 dated 02.06.2015 and quash the same and further direct the respondents 1 & 2 to issue an order of appointment to the petitioner and grant such other further relief as this Court.

For Petitioner : Mr.V.Rajasekar

For Respondents : Mr.S.Vijayakumar, Senior Counsel

Assisted by

Mr.J.Melwin Jabaz for R1 & R2

ORDER

This writ petition has been filed seeking writ of Certiorarified Mandamus to call for the records in connection with the impugned order bearing No.No.62/RPI/2015dated 02.06.2015 passed by the respondents, and to quash the same.

2.The brief facts that are relevant for disposal of the writ petition are as under:

In response to the notice issued by the 3rd respondent dated 25.08.2012 proposing to fill various posts in different cadres, including the Assistant Grade III (Technical). The petitioner participated in the recruitment



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process and ultimately, emerged as one of the selected candidates. However, when the list of selected candidates was forwarded to the 1st respondent for issuing appropriate appointment orders, it is noticed that the petitioner does not possess the requisite qualification to hold the post of Assistant Grade III (Technical). Therefore, the case of the petitioner was not considered for appointment, and no appointment order was issued.

3.The qualification prescribed for the post of Assistant Grade III (Technical) is as under :

For AG-III (Technical)-Post Code No.C:

(i) B.Sc in Agriculture from a recognized University

*Or B.Sc with any of the following subjects from a
recognized University*

Botany/Zoology/Bio-Technology/Bio-

Chemistry/Microbiology/Food Science.

Or B.Tech./BE in Food Science/Food Science &

Technology/Agricultural Engineering/Bio-

*Technology from a recognized University/an
institution approved by AICTE.*

(ii) Proficiency in use of Computers.



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For AG-III (Depot) Post Code No.D:

Graduate Degree in any discipline from a recognized University with proficiency in use of computers."

4.It is not in dispute that the petitioner did not possess any of the above qualifications prescribed for the post of Assistant Grade III (Technical). According to the petitioner, he only possessed the qualification of B.E. in Bio-Medical Engineering. Therefore, the claim of the petitioner was rightly not considered for appointment. By assigning the very same reason, the impugned order was issued, intimating the petitioner that his candidature was rejected for not possessing the requisite qualification to hold the post of Assistant Grade III(Technical).

5.In the light of the admitted fact that the petitioner does not possess the requisite qualifications to hold the post of Assistant Grade III(Technical), this Court does not find any error or illegality in the impugned order passed by the respondents 1 and 2. Then coming to the contention of the learned counsel for the petitioner that in similar circumstances certain candidates were appointed, no material is placed before this Court to appreciate the said contention. Further contention of the learned counsel for the petitioner that the respondents have placed before this Court only orders passed in respect of eight candidates



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rejecting their claim for want of possessing necessary qualification and not produced the rejection orders of other candidates is concerned; this Court is of the considered view that the same deserves no consideration in the absence of any material placed before this Court to show that any candidate not possessing any qualification like the petitioner herein was appointed to the post of Assistant Grade III(Technical).

6.In the light the observation, this Court does not find any merit in the writ petition and the same is dismissed.

7.Accordingly, the writ petition stands dismissed. No costs.

05.08.2024

vsn

Internet:Yes/No

Index:Yes/No

Speaking/Non-speaking order

To

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MUMMINENI SUDHEER KUMAR, J.

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