



W.P.No.25505 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.25505 of 2022
and W.M.P.No.24506 of 2022

Lakshmanan.K

...Petitioner

-Vs-

1. The Government of Tamil Nadu,
Represented by its Principal Secretary to Government,
Department of Higher Education,
Fort, St. George, Chennai – 600 009.
2. The Chairman,
Teachers Recruitment Board,
Puratchi Thalaivar Dr.M.G.R.Centenary Building,
3rd and 4rd Floor, DPI Campus,
College Road, Nungambakkam,
Chennai – 06.
3. The Director,
Directorate of Technical Education,
No. 53, Sardar Patel Road,
Anna University, Guindy,
Chennai – 25.



W.P.No.25505 of 2022

4. The Chairman,
State Level Scrutiny Committee/
Secretary to the Government of Tamil Nadu,
Adi Dravidar and Tribal Welfare (CV-I) Department,
Fort St. George,
Chennai – 600 009.
(R4 Suo Motu Impleaded vide Order
dated 12.04.2023 made in
W.P.No. 25505/2022)

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondent to consider petitioner's candidature, for the appointment as Lecture in Government Polytechnic Colleges and Special Institutions, based on petitioner representation dated 01.08.2022, within the time frame fixed by this Hon'ble Court.

For Petitioner	: No appearance
For R1 and R3	: Mr.C.Jayaprakash Government Advocate
For R2	: Mr.R.Neelakandan Additional Advocate General assisted by Mr.C.Kathiravan Special Government Pleader
For R4	: Mrs.R.L. Karthika Government Advocate



W.P.No.25505 of 2022

WEB COPY

ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the respondent to consider petitioner's candidature, for the appointment as Lecture in Government Polytechnic Colleges and Special Institutions, based on petitioner representation dated 01.08.2022, within the time frame fixed by this Hon'ble Court.

2. The petitioner belongs to Irular community and it is coming under the ST category. The petitioner is qualified with B.Sc Chemistry, M.Sc Organic Chemistry, M.Phil and Ph.D. While being so, the second respondent issued notification in Notification No.14/2019 dated 27.11.2019 calling upon application from eligible candidates for direct recruitment for 1060 vacancies in the post of Lecturer at the Government Polytechnic Colleges and Special Institutions (Engineering/Non Engineering) for the year 2017-18. The petitioner applied for the said post and uploaded all relevant documents as required by the second respondent. The petitioner applied for written examination and secured 101 marks out of 190. The second respondent published the provisional



W.P.No.25505 of 2022

list for the post of Lecturers and fixed a date for certificate verification.

There are 84 vacancies for Chemistry and one post is reserved for ST (T).

As per the selection list, it was mentioned that no candidate was available for the reservation under the category ST(T). The petitioner quoted the Government Order in G.O.Ms.No.145, Personnel and Administrative Reforms (S) Department dated 30.09.2010 ordered that the reservation is subject to availability of such candidates, the post reserved for Person Studied in Tamil Medium (PSTM) will be filled by Non-Tamil medium candidates belonging to that respective communal category. Therefore, the petitioner submitted a representation, since he had studied school education in Tamil medium upto +2.

3. It is the further case of the petitioner that the selected candidate one C.Senthil Kumar had not reported duty and in the said place, the petitioner sought for appointment to the post of Lecturer. It is also reported that the said C.Senthil Kumar filed a writ petition in W.P.No.29408 of 2022. This Court, by an order dated 08.11.2022 directed to complete the selection process, within a period of twelve



W.P.No.25505 of 2022

weeks from the date of receipt of a copy of the order.

WEB COPY

4. A perusal of the status report filed by the fourth respondent and the learned Government Advocate appearing for the fourth respondent submitted that the State Level Scrutiny Committee has referred the case to the Director Tribal Welfare, to verify the community status by making an open enquiry by the Deputy Superintendent of Police, Vigilance Cell. Accordingly, personal inspection was conducted by the Deputy Superintendent of Police to the native place of Senthil Kumar and verified the community of him. As per the report, the State Level Community found that the reports are in favour of the said Senthil Kumar and the community certificate produced by him was found to be genuine and true. Accordingly, the State Level Scrutiny Committee concludes that the Kurichchan Scheduled Tribe Community Certificate issued by the said C.Senthilkumar as genuine one. Therefore, in that place, he will be appointed in the post of Lecturer.



W.P.No.25505 of 2022

WEB COPY

5. In view of the above, the candidature of the petitioner cannot be considered and the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this writ petition stands dismissed. Consequently, connected Miscellaneous petition is closed. No costs.

28.03.2024

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
mn



W.P.No.25505 of 2022

WEB COPY

To

1. The Principal Secretary to Government,
The Government of Tamil Nadu,
Department of Higher Education,
Fort, St. George, Chennai – 600 009.
2. The Chairman,
Teachers Recruitment Board,
Puratchi Thalaivar Dr.M.G.R.Centenary Building,
3rd and 4rd Floor, DPI Campus,
College Road, Nungambakkam,
Chennai – 06.
3. The Director,
Directorate of Technical Education,
No. 53, Sardar Patel Road,
Anna University, Guindy,
Chennai – 25.
4. The Chairman,
State Level Scrutiny Committee/
Secretary to the Government of Tamil Nadu,
Adi Dravidar and Tribal Welfare (CV-I) Department,
Fort St. George,
Chennai – 600 009.



WEB COPY



W.P.No.25505 of 2022

G.K.ILANTHIRAIYAN. J,

mn

W.P.No.25505 of 2022

28.03.2024