



W.P.(MD).No.21762 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.21762 of 2024

Ravinraj

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its
Additional Chief Secretary to Government,
Transport Department,
Secretariat, Chennai – 600 009.

2. The Managing Director,
State Express Transport Corporation
(SETC) Tamil Nadu Limited,
No.2, Pallavan Salai, Thiruvalluvar House,
Chennai – 600 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to consider the candidature of the petitioner for the post of Driver cum Conductor (DCC) based on his application and his marks obtained in the written and practical examinations held vide the second respondent's Notification No.01/SETC/2023 and appoint the petitioner in the post of Driver cum Conductor (DCC) by considering the petitioner's representation dated 02.08.2024.



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For Petitioner : Mr.M.Gnana Guru Nathan
For R 1 : Mr.S.Shanmugavel
Additional Government Pleader
For R2 : Mr.K.Senthil Kumar
Standing Counsel

ORDER

The instant Writ Petition has been filed by an aspirant to the post of Driver-cum-Conductor in the respondent Transport Corporation seeking a Mandamus to consider his candidature, based upon his marks obtained in the written and practical examinations and on the basis of the petitioner's representation dated 02.08.2024.

2. According to the learned counsel appearing for the writ petitioner, the petitioner was successful in passing written examination by securing 38 marks and thereafter, he was called for an interview on 29.12.2023, and he has also successfully cleared the interview as well as the driving skill test. Though candidates were appointed on batches, the name of the writ petitioner was not considered for appointment and hence, the present writ petition.



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3. According to the learned counsel appearing for the writ petitioner, the petitioner had worked as a Driver cum Conductor during the strike period and he was found to be satisfactory during the said period on various occasions. He further contended that the petitioner has secured high marks in the personal interview as well as in the driving skill test. However, without considering the merits, the petitioner's name has been excluded from being selected to the post of Driver-cum-Conductor.

4. The learned Additional Government Pleader appearing for the first respondent as well as the learned Standing Counsel appearing for the Transport Corporation, relying upon the written instructions from the authorities have contended that the petitioner has secured 38 marks in written examination, 21.25 marks in driving skill test, 13 marks in personal interview. Totally, the petitioner has secured marks at 72.25/150. The petitioner belonging to BC Community and the cut off mark to the BC Community is 82.25/150. The petitioner having not reached the zone of consideration, his name was not considered for being appointed.



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5. Considering the fact that the petitioner had secured only 72.25/150 and the cut off mark to the BC community candidates is 82.25, this Court is of the considered opinion that the petitioner, having not reached the zone of consideration, has not been issued with an order of appointment. In such circumstances, the question of issuing a Mandamus to the respondent authorities would not arise.

6. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs.

30.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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To

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R.VIJAYAKUMAR,J.

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