

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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WRIT PETITION No.20131 of 1997

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Dated:21.01.2008

Between:

M.V.S.V. Prasada Rao S/o M.Sambaiah

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PETITIONER

AND

The Chairman, Recruitment Committee,
Railway Protection Force,
Rail Nilayam, Secunderabad.

.....
RESPONDENT

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

-
WRIT PETITION No.20131 of 1997

ORDER:

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Questioning the selection of candidates by the South Central Railway, pursuant to employment notice Nos.1/94 and 2/96, the present writ petition is filed.

The grievance of the petitioner is that from out of existing 90 vacancies, 21 were left open for the general category and that the remaining 69 were reserved for S.C., S.T., and B.C., candidates, which according to the petitioner is in excess of fifty percent and as such is illegal.

In the counter-affidavit filed by the respondent it is stated that the selection committee was required to select a total of 396 candidates, from out of which 120 were from Secunderabad, and the break up of Secunderabad was 60 for OC, 32 for OBC, 17 for SC and 11 for ST., and in case of Vijayawada, out of the total 90 posts, 45 was for OC, 24 was for OBC, 13 was for SC, and 8 was for STc., and that the SC/ST/BC candidates, who qualified on their own merit without taking the benefit of reservation, were treated as OC candidates.

It is well settled that reservation in favour of the socially and educationally backward classes and S.C & S.T candidates does not operate as a communal roster. A candidate, who belongs to the aforesaid reserved categories and has secured appointment on his own merit, cannot be said to have secured appointment against the reserved category.

The grievance of the petitioner is misconceived. The writ petition fails, and is accordingly dismissed. There shall be no order as to costs.

(Ramesh Ranganathan, J)

21st January 2008.
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