ITEM NO.26 COURT NO.4 SECTION XII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).9231/2010

(From the judgement and order dated 05/01/2010 in WP No. 25/2010 of The HIGH COURT OF MADRAS)

SATYAMURTHY Petitioner(s)

VERSUS

SEC.TO GOVT.& ORS. Respondent(s)

(With prayer for interim relief)

Date: 05/04/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MR. JUSTICE R.M. LODHA

For Petitioner(s) Mr. R. Venkataramani,Sr.Adv.
Mr. R. Ayyam Perumal,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

We find no reason to interfere. Petitioner voices an apprehension that respondents 2 and 3 (Southern Railways), dismiss their employees from service on receiving a negative report from the Caste Verification Committee without any notice and he apprehends such action in his case. Only where appointment has been made against reserved vacancies

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of Schedule Castes or Schedule Tribes, on the caste claim being negatived by the Caste Verification Committee, a termination is resorted. But in this case the petitioner has been appointed as a general category candidate and therefore, there is no question of an automatic dismissal from service on the ground that his claim for the status of a Schedule Tribe has been negatived. If any action is taken, it is open to him to resist the same on the ground that he bonafide made the caste claim.

The Special Leave Petition is dismissed.

(O.P. Sharma)
Court Master

(M.S. Negi)
Court Master