

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.19508 of 2015
and
M.P.Nos.1 and 2 of 2015

Mohanasundaram

... Petitioner

Versus

- 1.Union of India
Represented by its Secretary,
Chief Secretariat, Pondicherry.
- 2.The Chairman,
Puducherry Road Transport Corporation (PRTC),
Raja Nagar, Iyyan Koil Street, Puducherry.
- 3.The Managing Director,
Puducherry Road Transport Corporation (PRTC)
Raja Nagar, Iyyan Koil Street,
Puducherry.

.... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the August 2013 Notification and the Consequent Memorandum dated 18.06.2015 vide No.224/PRTC/Admn./2013-15 issued for the selection of Drivers and Conductors in the 2nd and 3rd respondent Corporation and quash the same and direct the respondents to call for fresh notification for the post of Drivers and Conductors in accordance with law.

For Petitioner : Mr.B.Balavijayan

For Respondents: Mr.A.Tamilvanan,
Government Advocate, Puducherry.

O R D E R

By consent, this writ petition is taken up for final disposal.

2. The respondent Corporation issued notification calling for application for the post of Conductors. The notification states that the method of selection is based on Written Test, Skill test and personal interview. Pursuant to the same, the petitioner made an

application. Based on the application, the respondent Corporation issued a notice dated 18.06.2015 directing him to appear for written test on 28.06.2015 and Skill Test/Interview on 30.06.2015. The petitioner has filed this writ petition questioning the conduct of written test by the respondent Corporation.

3. The learned counsel for the petitioner relies on a judgment of this Court dated 08.11.2010 made in W.P.No.21347 of 2010 in Karthikeyan Vs. The Chairman, Puducherry Road Transport Corporation, Puducherry.

4. I have perused the judgment. In my view, the aforesaid judgment is not applicable to the facts of this case. That judgment is for appointment to the post of Conductors on daily wage basis. When a selection is made on regular basis, it is better for the state agency to conduct a written test and select the persons. When the selection is based on written test, the same cannot be questioned on the ground that the selection shall be based only on interview.

5. I have held in (i) J.Kovaisamy Vs. State of Tamil Nadu, Rep. By its Secretary, Employment and Training Department & Others [in W.P.No.20290 of 2012 dated 27.08.2014] reported in (2015) 1 MLJ 515 (ii) M.Govindaswamy Vs. The Collector, Office of the Collectorate, Dharmapuri District in W.P.Nos.31317/2012 and 9600/2013 dated 19.02.2015 that public employment shall not be made based on interview alone and it should be made based on written test. Hence, this writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

VSM

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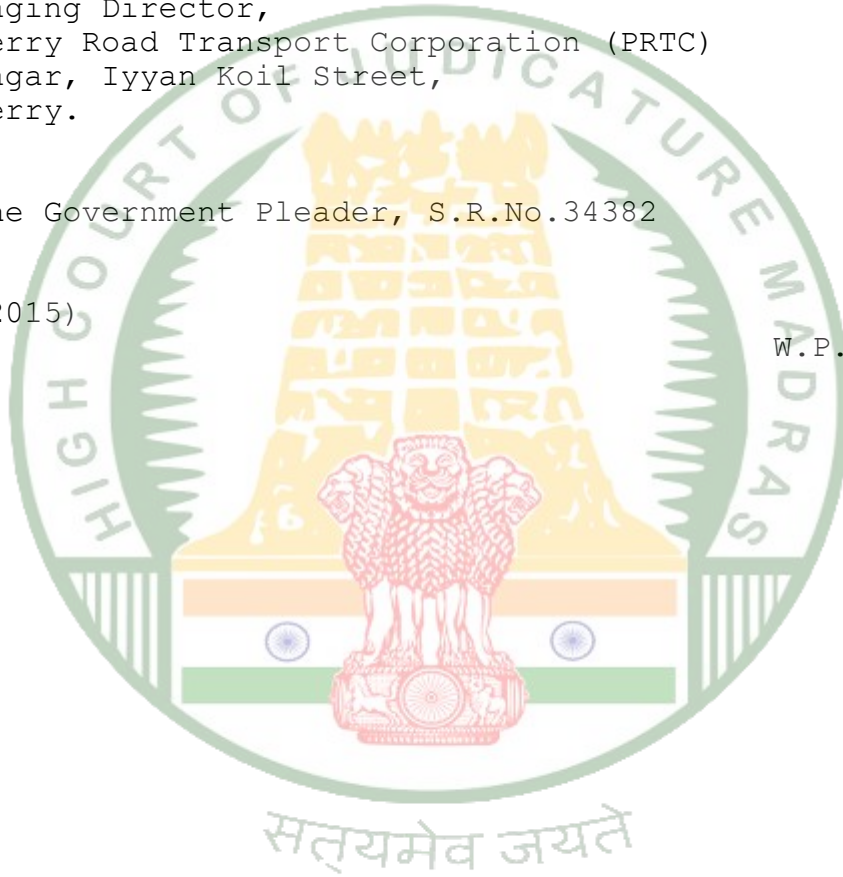
To

1. The Secretary, Union of India
Chief Secretariat, Pondicherry.
2. The Chairman,
Puducherry Road Transport Corporation (PRTC),
Raja Nagar, Iyyan Koil Street, Puducherry.
3. The Managing Director,
Puducherry Road Transport Corporation (PRTC)
Raja Nagar, Iyyan Koil Street,
Puducherry.

+1cc to the Government Pleader, S.R.No.34382

AP(CO)
EU(03/08/2015)

W.P.NO.19508 OF 2015



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