IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27-10-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.34104 of 2015
and
M.P.Nos.1 and 2 of 2015

1.V.Shivashankar
2.R.Pushparaj ...Petitioners

vs

1. The Government of Puducherry
   Rep. By its Secretary to Government(Labour)
   Chief Secretariat, Puducherry

2. The Managing Director
   Puducherry Road Transport Corporation Ltd.,
   No.4, Iyyan Koil Street,
   Raja Nagar, Puducherry ...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus calling for the entire records pursuant to the Notifications dated 13.8.2015 and 20.8.2015, on the file of the second respondent in File No.224/PRTC/ADMN/2013, quashing the same and consequently, directing the second respondent to consider the petitioners for the post of Conductor based upon their representations dated 10.9.2015.

For Petitioners : Mr.K.Sathyamurthi

For Respondents : Mr.Syed Mustafa
Special Government Pleader
(Pondy) for R1

Mr.A.R.Nixon for R2

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ORDER

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

2.The deponent of the affidavit, who is the first petitioner, would state that the second respondent has called

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for applications for the post of Conductors and Drivers in the year 2007, and the selection was cancelled alleging some malpractices, and thereafter, in the year 2010, the second respondent has invited applications for filling up the post of Conductors and Drivers; but, once again, the said selection process was dropped due to the very same reason and the second respondent commenced a new process of selection in the year 2013, and called for applications for filling up the post of Conductors and Drivers numbering 60 each. The deponent would further state that the petitioners were repeatedly applying for the said post and now, the second respondent had employed more than 300 persons on contractual basis and though there are regular vacancies available, it has not been filled up and in this regard, the petitioners have also submitted an independent representation dated 10.9.2015, to the second respondent and since no orders have been passed, came forward to file this writ petition.

3.The learned Counsel appearing for the petitioners, would submit that in similar facts and circumstances, this Court vide order dated 13.11.2013, made in W.P.Nos.30640 to 30646 of 2013, has directed the second respondent to consider the representation of the petitioners therein, who were similarly placed, and pass orders within a stipulated time frame and prays for similar relief.

4.The Court heard the submissions of Mr.Syed Mustafa, learned Special Government Pleader (Pondy), who accepted notice on behalf of the first respondent, and Mr.A.R.Nixon, learned Standing Counsel, who accepted notice on behalf of the second respondent, also.

5.Though the petitioner prayed for a larger relief, this Court, in the light of the facts and circumstances, directs the second respondent to consider the petitioners' independent representation dated 10.9.2015, on merits and in accordance with law and pass orders thereon within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioners. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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nsv

To

1. The Secretary to Government (Labour)
   Chief Secretariat,
   Puducherry

2. The Managing Director
   Puducherry Road Transport Corporation Ltd.,
   No.4, Iyyan Koil Street,
   Raja Nagar, Puducherry

1 CC to Mr.K.Sathyamurthi, Advocate SR.No. 58676

1 CC to the Government Pleader, SR.No. 58340

W.P.No.34104 of 2015

RSK (CO)
PSI (06.11.2015)

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