

HON'BLE MR JUSTICE R. KANTHA RAO

Writ Petition NO.17806 OF 2015

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DATE:19.06.2015

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BETWEEN:

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Korandla Ram Reddy .. Petitioner

And

The National Thermal Power Corporation Ltd. Rep. by its Dy.GM(HR),
Secunderabad and another

.. Respondents

HON'BLE SRI JUSTICE R. KANTHA RAO

Writ Petition No.17806 of 2015

ORDER:

This writ petition is filed by the petitioner under Article 226 of the Constitution of India seeking to issue a writ of mandamus declaring the action of the respondents in not receiving the application from the petitioner for the post of Junior Mazdoor only on the ground that the petitioner's name must be sponsored from the second respondent as illegal, arbitrary, unconstitutional and violative of Article 14 of the Constitution of India and consequently to direct the first respondent to receive the application from the petitioner allowing him to participate in the selection process including test and interview to the post of Junior Mazdoor.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3. The petitioner is resident of Malkapur village, Medipalli Post, Karimnagar District. His land was acquired for the purpose of NTPC in the year 1977. The respondents reserved certain posts for the land oustees. The respondent No.1 issued notification for the post of Junior Mazdoor on 07.05.2014. The petitioner's claim was sponsored by the employment exchange and he appeared before the selection committee, but he was not selected. Subsequently, another notification was issued for the remaining vacancies of 25 posts of junior mazdoors on 18.05.2015 and it is mentioned in the notification that the maximum age limit for the land oustees under O.C. category is 50 years as on 30.06.2015. Accordingly, the first respondent directed the respondent No.2 to send the list of persons for selection of said posts. Therefore, the list of eligible candidates was forwarded by the second respondent to the first respondent.

It is submitted on behalf of the petitioner that as per the cut off date

mentioned in the notification, his age would exceed only by two days and therefore, a direction can be issued to the second respondent to sponsor his name to the first respondent by condoning the delay.

The petitioner already appeared before the selection committee pursuant to the notification, dated 24.05.2014, but he was not selected. This time, he crossed 50 years by 30.06.2015. Therefore, he did not fulfill the eligibility criteria regarding the age limit prescribed in the notification.

This Court in exercise of powers under Article 226 of the Constitution of India cannot issue a direction to relax the eligibility criteria mentioned in the notification.

For the reasons aforementioned, the writ petition is dismissed. There shall be no order as to costs.

Miscellaneous petition, if any, filed in this writ petition shall stand closed.

R.KANTHA RAO, J

Date:19.06.2015

ccm

THE HON'BLE SRI JUSTICE R.KANTHA RAO

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