

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10-06-2016

Coram

THE HON'BLE MR. JUSTICE B. RAJENDRAN

Writ Petition No.18769 of 2016
and
WMP Nos.16383 and 16384 of 2016

A.Rajagounder

... Petitioner

Vs.

1. The Director
Directorate of Employment
and Training
Chepauk,
Chennai-600 005.

2. The Joint Directorate
(Craftsmen Training)
Directorate of Employment
and Training
Chepauk,
Chennai-600 005.

.... Respondents

Writ Petition filed under Article 226 of the constitution of India to issue a Writ of Mandamus, forbearing the 2nd respondent from conducting Skill Test, Certificate Verification and Personal Interview and further direct the 2nd respondent to include the petitioner name in the provisional selection list of candidates dated 01.03.2016 calling for Skill Test, Certificate Verification and Personal interview for the post of Junior Training Officer as per the notification issued on 12.01.2016 by the 2nd Respondent.

For Petitioner : Mr.A.Nagarathinam

For Respondents : Mr.S.Ramesh
Additional Government Pleader

O R D E R

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. This Writ Petition has been filed to issue a Writ of Mandamus, to forbear the second respondent from conducting Skill Test, Certificate Verification and Personal Interview and further direct the second respondent to include the

petitioner's name in the provisional selection list of candidates dated 01.03.2016 calling for Skill Test, Certificate Verification and Personal interview for the post of Junior Training Officer as per the notification issued on 12.01.2016 by the second respondent.

3. The petitioner would state that there are 329 vacancies to the post of Junior Training officer in the Government ITI under the department of Employment and Training (Training Wing). Therefore, the second respondent issued a notification on 12.01.2016 for direct recruitment to the vacant posts of Junior Training Officer in the government Industrial Training Institutes in Tamil Nadu for the year 2014-2015. According to the notification of the second respondent, the screening test was conducted on 21.02.2016 at Government Arts and Science College, Salem-7 and the petitioner was issued a Hall Ticket and he participated in the Screening Test on 21.02.2016 and obtained 73 marks. It is further stated that while issuing notification, the second respondent allotted the said posts to all departments taking into consideration of the vacancies. Out of 329 post of Junior Training Officer, 194 posts were allotted for the Diploma subject in the relevant field of engineering and 135 posts are allotted for the subject of ITI in the relevant field of trades. Out of 194 posts of Junior Training Officer, 130 posts are allotted for Diploma in Mechanical Engineering subject. The remaining 64 posts are again split into the respective subjects based on the vacancies available in 16 departments.

4. It is the grievance of the petitioner that while allotting the posts, the second respondent is said to have followed the communal rotation and special quota. But the second respondent published the result of selected candidates without following any procedure in an arbitrary manner. The selection list was published on 01.03.2016. Even though the petitioner obtained 72 marks, his name was not found in the selected list of candidates. But, the candidates who obtained lesser marks are selected. In this context, the petitioner made a representation to the second respondent on 28.05.2016 to call for the required number of candidates in order to fill up all the vacancies in the Diploma in Mechanical Engineering and include his name in the provisional selection list of candidates calling for skill test, certificate verification and personal interview. But no action was taken till date. Hence, the present Writ Petition has been filed.

5. Though the prayer sought for by the petitioner in the present writ petition is larger, the learned counsel appearing on behalf of the petitioner has submitted that it would suffice, if the representation of the petitioner, dated 28.05.2016, is directed to be disposed of by the respondent, on merits, within a specified period.

<https://hcservices.ecourts.gov.in/hcservices/>

6. Mr.S.Ramesh, learned Additional Government Pleader, who takes notice for the respondents, has got no serious objection

for directing the respondents to consider the representation of the petitioner and pass appropriate orders, on merits and in accordance with law.

7. Considering the submissions made on either side, this Court, without going into the merits of the claim made by the petitioner, directs the second respondent, to consider the representation of the petitioner, dated 28.05.2016, and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible, preferably. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner. Accordingly, the Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

1. The Director
Directorate of Employment
and Training
Chepauk,
Chennai-600 005.

2. The Joint Directorate
(Craftsmen Training)
Directorate of Employment
and Training
Chepauk,
Chennai-600 005.

+1cc to the Government Pleader, S.R.No.31548

W.P.No.18769 of 2016

GJ(CO)
CA(27/06/2016)