

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.33322 of 2016

S.Boopathy

... Petitioner

vs.

1.The District Employment Officer,  
District (Unskilled) Adyar,  
Chennai-20.

2.The Corporation of Chennai  
rep. by its Commissioner,  
Rippon Buildings,  
Chennai-600 003.

3.The Secretary to Government,  
Municipal Administration,  
Water Supply Department,  
Fort St. George, Chennai-9.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 06.09.2016 for the post of Sweeper in the existing vacancy or in the future vacancy.

For Petitioner : Mr.N.Beulah John Selvaraj

For Respondents : Mr.A.Zakir Hussain,  
1 and 3 Government Advocate

For 2nd respondent : Mr.G.Anantha Rangan

ORDER

By consent, the Writ Petition itself is taken up for final disposal.

2. The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 06.09.2016 thereby considering the petitioner for the post of Sweeper in the existing vacancy or in the future vacancy.

3. The case of the petitioner is that the petitioner has passed 8th standard in the year 1988 and registered the same in the 1st respondent Employment Exchange vide Registration No.CHU 1990MOOOO8433 dated 22.06.1990 and regularly renewing the same. His next renewal date falls during June 2017. He belongs to Scheduled Tribe Caste. Though the 1st respondent has sponsored his name previously for three occasions to various departments and though he attended the interviews, his case was not considered.

4. The further case of the petitioner is that on 11.08.2010 on the sponsorship of the 1st respondent, the 2nd respondent called him for interview on 31.08.2010 for the post of Sweeper. Though he has attended the interview, he was not considered. According to the petitioner, there are number of vacancies available in various Zones of the 2nd respondent and they have issued Application Form for the Post of Sweepers. Hence, the petitioner has given a representation dated 06.09.2016 to the 2nd respondent. Since, the same has not been considered, the petitioner is before this Court.

5. Heard the learned Counsel for the petitioner and the learned Government Advocate for the respondents 1 and 3 as well as the learned Counsel for the 2nd respondent, who takes notice on behalf of the respondents.

6. Considering the facts and circumstances of the matter, this Court is of the view that it cannot give a positive direction to the 2nd respondent to provide the petitioner with employment. However, this Court directs the petitioner to give a fresh representation seeking Sweeper Post along with a copy of this Order to the 2nd respondent within a period of two weeks and on receipt of the same, the 2nd respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law, within a period of four weeks thereafter.

7. The Writ Petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS IV )

/true copy/

Sub Asst. Registrar

To

1.The District Employment Officer,  
District (Unskilled) Adyar,  
Chennai-20.

2.The Commissioner,  
Corporation of Chennai,  
Rippon Buildings,  
Chennai-600 003.

3.The Secretary to Government,  
Municipal Administration,  
Water Supply Department,  
Fort St. George, Chennai-9.

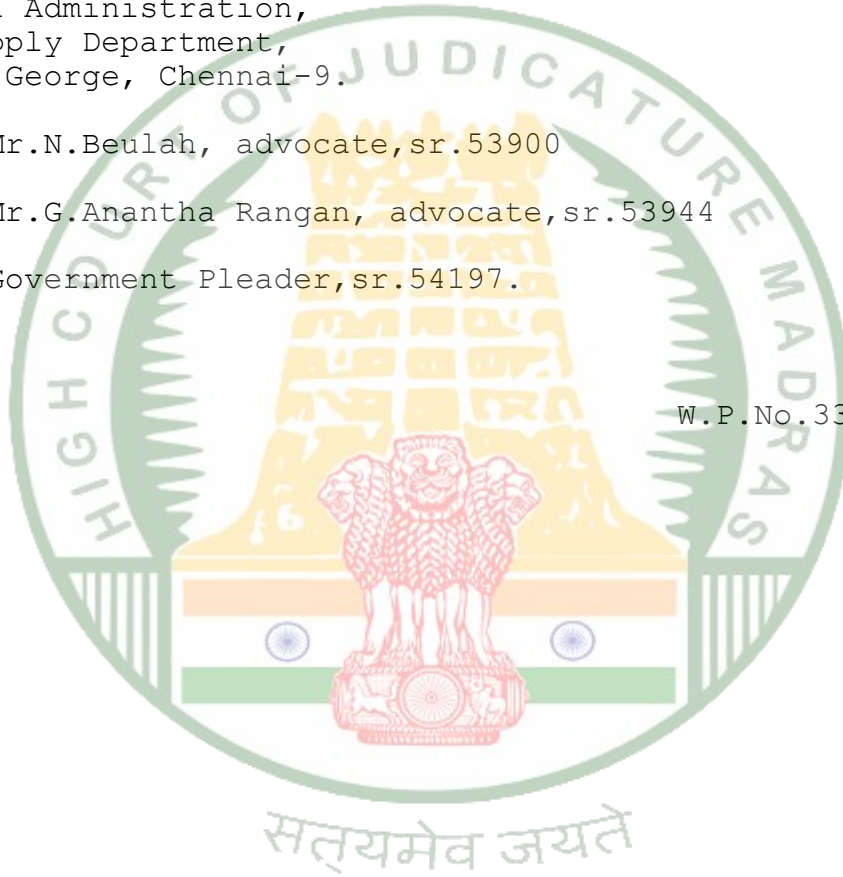
+1 cc to Mr.N.Beulah, advocate,sr.53900

+1 cc to Mr.G.Anantha Rangan, advocate,sr.53944

+1 cc to Government Pleader,sr.54197.

Sr(co)  
krd 24/10

W.P.No.33322 of 2016



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