

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.35109 of 2016

S.Indira Gandhi

.. Petitioner

vs.

1.The Director of Employment and Training,
Guindy, Chennai-600 032.

2.The Commissioner of Chennai Corporation,
Chennai Corporation Ribbon Building,
Chennai-600 003.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the second respondent to call the petitioner for interview for the post of Assistant as she had been found eligible and recommended for the post based on the age, registration, seniority and educational qualification.

For Petitioner : Mr.A.P.Peter Gunasekaran

For Respondents : Mr.N.Srinivasan
Additional Govt. Pleader for R1

Mr.G.Anandharangan for R2

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Mandamus directing the second respondent to call the petitioner for interview for the post of Assistant as she had been found eligible and recommended for the post based on age, registration, seniority and educational qualification.

2. The petitioner is a B.Com., graduate with Diploma in Cooperative training and Diploma in Computer Application and originally registered with the Employment Exchange, Tiruvallur District on 06.10.1990 and subsequently, transferred to Chennai on 11.11.1994 with continuity of seniority. The petitioner earlier filed a Writ Petition in W.P.No.16223 of 2012 seeking for a Mandamus to consider his representation. The petitioner is willing to serve in any lower post with S.S.L.C qualification and accordingly, sent a representation dated 29.04.2014,

followed by reminders dated 01.09.2014, 27.12.2014, 17.06.2015, 10.08.2015 and 18.01.2016. The petitioner received a communication from the office of the second respondent calling for certificate verification on 08.01.2015 and subsequently, vide letter dated 13.01.2015 informed him that the written test schedule to be held on 24.01.2015 has been cancelled due to administrative reasons. The first respondent, vide letter dated 19.02.2015 informed him that as on 13.01.2012 since the petitioner had crossed 45 years, his name has not been recommended for the vacancies notified by the Cooperative Societies but on the other hand recommended for the vacancies for the post of Assistant in Chennai Corporation. Hence, the petitioner has come forward with this writ petition.

3. When the matter is taken up for consideration, the learned counsel appearing for the second respondent would submit that after certificate verification, written test will be conducted and in the event of the petitioner qualifying in the written test and if the petitioner is otherwise eligible, interview will be conducted and therefore, straight away the second respondent cannot call the petitioner for interview.

4. Recording the submission of the learned counsel appearing for the second respondent, this Writ Petition is closed. No costs.

Sd/-

ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

To

1.The Director of Employment and Training,
Guindy, Chennai-600 032.

2.The Commissioner of Chennai Corporation,
Chennai Corporation Ribbon Building,
Chennai-600 003.

+1 cc to Mr.G.Anantharangan, Advocate SR.NO. 58272

+1 cc to Mr.Peter Gunasekaran, Advocate SR.NO. 57822

+1 cc to the Govt. Pleader, High Court, Madras 104, SR.NO. 58219

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MMP 12.11.2016