

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.35240 of 2016

M.Kumar

... Petitioner

vs.

1.The District Employment Officer
District unskilled, Adayar
Chennai-600 020

2.The Corporation of Chennai
rep. By its Commissioner
Rippon Building
Chennai-600 003

3.The Secretary to Government
Municipal Administration
Water Supply Department
Fort St.George, Chennai-600 009

... Respondents

Prayer: 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 representation dated 6.9.2016 for the post of Sweeper in the existing vacancy or in the future vacancy.

For Petitioner : Ms.N.Beulah John Selvaraj

For Respondents : Mr.G.Anandha Rangan,
for R2.

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the second respondent to consider his representation dated 6.9.2016 seeking appointment to the post of Sweeper in the existing vacancy or in the future vacancy.

2. It is the case of the petitioner that he belongs to Schedule Tribe Community. He has failed X Standard in the year 1990 and registered his name in the first respondent employment exchange and he has been regularly renewing the same. While so, his name was sponsored by the first respondent for the post of

Sepoy on 15.6.2005 and he was called for interview, but he was not considered for the said post. Again on 9.5.2006, the first respondent sponsored his name for the post of Unskilled Tradesman and he was also called for interview. But, again, he was not considered for the said post. Likewise, for more than three times, he was called for interview and his name was not considered. Finally, based on the sponsorship of the first respondent, the second respondent called the petitioner for interview on 31.8.2010 for the post of Sweeper and again on 16.8.2012, for the post of Office Assistant. However, again his name was not considered. Now, the petitioner is aged 43 years and the eligibility for the post of Sweeper is 45 years. Even though he has been waiting for the past 13 years, his name was not considered for the post of Sweeper. Now, he came to know that there are number of vacancies available in 15 Zone of the second respondent. In this regard, he sent a representation dated 6.9.2016 to the second respondent seeking appointment to the post of Sweeper. Since the same was not considered so far, left with no other alternative, the petitioner has come up with the present writ petition for the relief set out earlier.

3. I have heard the learned counsel appearing for the petitioner and the learned counsel, who has taken notice on behalf of the second respondent. In view of the limited order to be passed hereunder, this Court is of the view that notice is not necessary to the respondents 1 and 3.

4. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim projected by the petitioner, this Court directs the second respondent to consider the representation of the petitioner dated 6.9.2016 seeking appointment to the post of Sweeper in the existing vacancy or in future vacancy, and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

sbi

To

1.The District Employment Officer
District unskilled
Adayar, Chennai-600 020

2.The Corporation of Chennai
rep. By its Commissioner
Rippon Building
Chennai-600 003

3.The Secretary to Government
Municipal Administration
Water Supply Department
Fort St.George, Chennai-600 009

+1cc to M/s G.Anantharangan, Advocate Sr.57735
+1cc to M/S N.Bealah John Selvaraj, Advocate Sr.57427

W.P.No.35240 of 2016

SR(CO)
RVR 12/11/2016



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DATED: 05.10.2016