

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.3601 of 2016

S.Kalaivanan

... Petitioner

Vs.

1. The Director General,
Highways Department,
Chepauk, Chennai - 600 005.

2. The Joint Director,
O/o.The Director General,
Highways Department,
Chepauk, Chennai - 600 005.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue writ of mandamus to direct the respondents to accept the application submitted by the petitioner dated 17.11.2015 for recruitment to the post of Junior Draughting Officer in the Highways Department without reference to the date of receipt of the application in the second respondent's office as specified in the notification dated 26.10.2015 issued by the second respondent

For Petitioner :Mr.T.P.Prabakaran
For Respondents :Mr.R.Vijayakumar, AGP

ORDER

By way of filing this writ petition, the petitioner seeks a direction to the respondents to accept the application dated 17.11.2015 submitted by him for recruitment to the post of Junior Draughting Officer in the Highways Department without reference to the date of receipt of the application in the second respondent's office as specified in the notification dated 26.10.2015 issued by the second respondent.

2. Heard the learned counsel appearing on either side.

3. It is seen that the second respondent issued a notification in the newspaper on 26.10.2015 calling for application from the eligible candidates for recruitment to the post of Junior Draughting Officer in the Highways Department.

In the said notification, the last date for receipt of application at the second respondent's office was prescribed as 18.11.2015 upto 5.45 p.m. The petitioner has also applied for the said post and thereby, he has sent his duly filled in application through speed post on 17.11.2015. However, the said speed post sent by the petitioner was received by the second respondent only on 19.11.2015 at 3.47 p.m.

4. Whiles, it is the contention of the learned counsel for the petitioner that since the petitioner has sent his application through speed post, it should have been delivered before the cut-off time fixed by the second respondent's office, whereas, due to the delay occurred by the postal department, the application sent by the petitioner delivered only on 19.11.2015, one day after the cut-off date fixed by the department, therefore, a direction may be issued to the respondents to accept the application sent by the petitioner for the said post.

5. Such contention of the petitioner cannot be accepted by this court, for, notification was published by the respondent as early as on 26.10.2015, prescribing the last date for receipt of application as 18.11.2015 at 5.45 p.m. However, as stated above, the petitioner applied for the said post only on 17.11.2015 at 6.25 pm. from Chidambaram, just one day before the cut-off date fixed by the department. Therefore, when the petitioner himself sent the application just one day before the cut-off date fixed by the department, that too at 6.25 p.m., it is untenable on the part of the petitioner to presume that the same should be delivered on the very next date. Thus, I am unable to find any reason to entertain the writ petition.

6. Accordingly, for the reasons stated above, the writ petition fails and the same is dismissed. No Costs. Consequently, WMP No.2963 of 2016 is closed.

rkm

s/d-
Assistant Registrar (CS-III)

True Copy

Sub-Assistant Registrar

To

1. The Director General,
Highways Department,
Chepauk, Chennai - 600 005.

2. The Joint Director,
O/o.The Director General,
Highways Department,
Chepauk, Chennai - 600 005.

+ 1 cc to Govt.Pleader, High Court, Madras SR 6921

W.P.No.3601 of 2016

sk(co)
srg 15/03/2016



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