

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.842 of 2016

and

WMP.No.664 of 2016

N.Kalanithi

.. PETITIONER

Vs

1 State Rep. by its
Secretary to Government
Handlooms Handicraft
Textile Khadi Department,
Fort St George,
Chennai-600009

2 The Director of Sericulture
Foulks Complex,
Anaimeedu, Salem-1,
Salem District.

.. RESPONDENTS

Prayer : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to accept petitioner's Experience Certificate based on petitioner's representation dated 22.12.2015 and thereafter to continue the recruitment process.

For Petitioner : Mr.K.Gandhi Kumar

For Respondents : Mr.N.Srinivasan
Additional Government Pleader

ORDER

The Petitioner has come forward with this Writ Petition seeking a direction to the respondents to accept the petitioner's experience certificate based on petitioner's representation dated 22.12.2015 and thereafter to continue the recruitment process.

2. According to the petitioner, he completed his diploma course during 2010 after completing higher secondary course in 2007. Thereafter, he underwent training in mulberry cultivation, silk worm, chawkie rearing and late age worm rearing from June 2014 to December 2014.

3. It is the case of the petitioner that the second respondent called for applications for the post of Junior Inspector and Assistant Inspector of Sericulture under direct recruitment through a notification dated 9.5.2015 prescribing educational qualification for Junior Inspector as 10th standard and a minimum of six months training in Sericulturue and for the post of Assistant Inspector, as graduation in Botany, Zoology or Chemistry. Thereafter on 16.5.2015, the 2nd respondent made another advertisement by amending the original notification dated 9.5.2015, whereby, the requisite qualification of six months experience has been done away and persons who do not possess the qualification are permitted to apply to the said post and the selected candidates will be sent for six months training after appointment. Whereas the petitioner sent his application after the notification dated 16.5.2015 without disclosing his experience in Sericulture.

4. While so, this Court has quashed the notification dated 16.5.2015, as overriding the existing rules and directed the respondent to proceed with the appointment based on the original notification dated 09.05.2015 by order 27.11.2015 made by this court in W.P.No.19005 to 19009 of 2015 filed by the persons working in the Department.

5. It is the further case of the petitioner that as the respondents are now proceeding with the recruitment process, based on the original notification dated 9.5.2015, taking into consideration the experience certificate, the petitioner made a representation dated 22.12.2015 to the 2nd respondent requesting to accept his experience certificate and to provide him appointment. But the same was not considered so far by the respondent. Hence, the petitioner is before this Court.

6. Heard Mr. K. Gandhikumar, learned counsel for petitioner and Mr.N.Srinivasan, learned Additional Government Pleader appearing for the respondents.

7. Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the 2nd respondent to consider the representation dated 22.12.2015 submitted by the petitioner along with the experience certificate and pass orders on merits and in accordance with law and also in the light of the order made in W.P.No.19005 to

19009 of 2015 dated 27.11.2015 within a period of six weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To

- 1 The Secretary to Government
Handlooms Handicraft
Textile Khadi Department,
Fort St George,
Chennai-600009
- 2 The Director of Sericulture
Foulks Complex,
Anaimeedu, Salem-1,
Salem District.

+1cc to Mr.K.Gandhikumar Advocate, S.R.No.1997
+1cc to the Government Pleader, S.R.No.2236

W.P.No.842 of 2016
and
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svi(CO)
srg(11/02/2016)

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