



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2016

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition (MD) No.3610 of 2016

and

W.M.P(MD)Nos.3224 and 3225 of 2016

R.Palanikumar

... Petitioner

Vs.

The Director of Employment Training,
Alandur Road, Guindy,
Chennai 32.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the records pertaining to the impugned proceeding of the respondent in Na.Ka.No.2519/Tho.Mu.Pa.2/2016, dated 03.02.2016 by the respondent and quash the same.

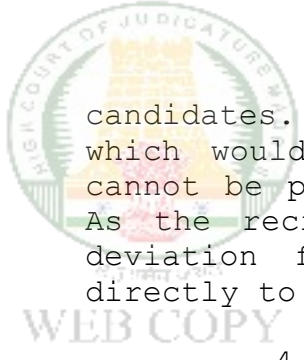
For Petitioner : Mr.K.S.Senthil Kumar
For Respondent : Mr.S.Sadeskumar,
Additional Government Pleader.

ORDER

This writ petition has been filed challenging the impugned proceedings of the respondent in Na.Ka.No.2519/Tho.Mu.Pa.2/2016, dated 03.02.2016. The said proceedings relates to the intimation given to the petitioner with respect to the advertisement dated 12.01.2016 by the first respondent for direct recruitment to the post of Junior Training Officer in Government Industrial Training Institutes for the year 2014-2015. The impugned letter is only an intimation to the petitioner to apply on line for the said post as he is one of the registered candidates.

2.The grievance of the petitioner is that though he belongs to the Backward Community Category, the outer age limit fixed as 37 years for the above said category whereas the petitioner is now aged 49 years. This dispels him from applying for the said post in time.

3.This Court by an order dated 03.09.2004, in W.P(MD).No.971 of 2004, had issued an order in favour of the petitioner observing that as and when any vacancy arises and any candidate is sponsored by the Director of Employment and Training, the same shall be considered in a routine manner along with other registered candidates. It is admitted by the petitioner that after 2004, he was not recruited till the impugned advertisement was issued. It is to be noted that with the direction of this Court in hand, he was waiting for an employment opportunity with the respondent for 12 years. But the advertisement has been issued only in 2016 by which time, the petitioner has overaged. When there is vacancy or necessity, the respondent can call for applications from the eligible



candidates. Merely because the petitioner has got an order in his favour which would entitle him to be considered in the event of recruitment cannot be put against the respondent and admittedly, he is of overaged. As the recruitment process is through on line, there may not be any deviation from the procedure by permitting the petitioner to apply directly to consider him for the said post.

4. In the light of the above facts, the writ petition cannot be entertained and the same is dismissed. No costs. Consequently, W.M.P(MD) Nos.3224 and 3225 of 2016 are closed.

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To
The Director of Employment Training,
Alandur Road, Guindy,
Chennai 32.

+1cc to special Government Pleader SR.No.13243

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