

**THE HON'BLE SRI JUSTICE M.S.RAMACHANDRA RAO**

**WP.No.1303 of 2008**

**ORDER:**

Heard counsel for the petitioner.

2. None appeared for the respondents even though respondents 1 and 2 are served and 3<sup>rd</sup> respondent is represented by the Government Pleader for Revenue through a memo.

3. It is the case of the petitioner that he belongs to Scheduled Caste Community and he applied for training to the Licensed Community Surveyors as called for by the 1<sup>st</sup> respondent.

4. According to the petitioner, the age limit prescribed in the notification issued by the 1<sup>st</sup> respondent is 35 years and since he belongs to SC community he is entitled to be considered up to the age of 40 years as is being done in other government recruitments and appointments.

5. No counter affidavit is filed by the respondents disputing this contention, although eight years have elapsed.

6. On 25.01.2008 in WP.MP.No.1560 of 2008 this Court *prima facie* came to the conclusion that the petitioner is entitled to relaxation of upper age limit up to 5 years and since he was aged about 37 years at the time when the Writ Petition was filed, he is entitled for being considered for training as Licensed Community Surveyor free of cost and accordingly granted

interim direction to 1<sup>st</sup> respondent to allow the petitioner for the screening test of Community Surveyors to be held on 27.01.2008 or on any subsequent date, subject to further orders of the Court.

7. Counsel for the petitioner states that his client appeared for the screening test held on 27.01.2008 and that he passed in the said test but he was not sent for the said training because of the pendency of the Writ Petition.

8. Since the claim of the petitioner is not refuted by any of the respondents, the respondents are directed to send the petitioner for Community Surveyor Training in view of the fact that the petitioner had passed the screening test for Community Surveyor held on 27.1.2008 within a period of three (03) months from the date of receipt of a copy of this order.

9. Accordingly, the Writ Petition is allowed. There shall be no order as to costs.

10. Consequently, miscellaneous petitions pending, if any, in this Writ Petition shall stand closed.

**M.S.RAMACHANDRA RAO, J**

14<sup>th</sup> November, 2016.  
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