

HONOURABLE SRI JUSTICE P. NAVEEN RAO

WRIT PETITION No. 3802 of 2011

Date : 25.7.2016

Between :

S Ramulu S/o Devaiah
ITI Apprentice in APSRTC
R/o Kothakota, Mahboobnagar district

Petitioner

And

APSRTC
Rep by its VC & CMD, Musheerabad, Hyderabad and another
Respondents

The Court made the following:

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ORAL ORDER:

Petitioner is one of the applicants for recruitment to the post of Shramik in Mahabubnagar division, pursuant to the notification dated 1.11.2010. Alleging that his application was not considered on the ground that he was over-aged, this writ petition is filed. The averments in the affidavit deal with the eligibility of the petitioner as with reference to the maximum age of eligibility.

2. In the counter affidavit, it is asserted by the respondents that petitioner is not disqualified on the ground of age; by extending the relaxation, petitioner was considered, was issued with call letter dated 27.1.2011 and during the course of the interview since petitioner did not produce the original SSC certificate in proof of his date of birth, but produced only a photocopy, same was not accepted and was not qualified for the post. It is further averred that all the 151 posts notified were filled up and there are no more vacancies available.

3. Though, learned counsel for petitioner would contend that the petitioner was disqualified only on the ground that he did not produce original SSC certificate, he was asked to produce the same later and when petitioner produced the original SSC certificate, same was not accepted and he was illegally denied employment, the same cannot be accepted at this stage since the main issue in the writ petition was concerning his eligibility with reference to age and by the time writ petition was filed, interviews were already held; the selections were already finalized, as specifically averred by the respondents, petitioner was disqualified on the ground that he did not produce original certificate of SSC in proof of his date of birth. Thus, no relief as originally sought by learned counsel for petitioner can be granted. In view of consideration of petitioner for selection without regard to alleged over age, cause in the writ petition does not survive. The writ petition is dismissed. It is made clear that if petitioner has any subsisting grievance on the question of illegal denial of employment, it is open for him to workout his remedies.

No costs. Miscellaneous petitions, if any pending, stand dismissed.

DATE: 25.7.2016
TVK

P NAVEEN RAO,J

HONOURABLE SRI JUSTICE P. NAVEEN RAO

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