

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.11.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.9330 of 2014 and

MP.No.1 of 2014

G.Joseph Ebinezer

.. Petitioner

vs

The Commissioner,  
Palladam Municipality,  
Palladam,  
Tiruppur District.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents herein to appoint the petitioner in the post of "Tap Inspector" in the respondent Municipality by providing him upper age relaxation under 12(d) of Tamil nadu State and Subordinat service rules and other relevant Gos of the State of Tamil Nadu based on the representation made by the petitioner on 03.03.2014.

For Petitioner : Mr.K.Thilageswaran  
For Respondent : Mr.K.Rajkumar

O R D E R

The relief sought for in this writ petition is for a direction to appoint the petitioner in the post of Tap inspector in the respondent Municipality by providing upper age relaxation under 12(d) of Tamil nadu State and Subordinate Service Rules and other relevant Government Orders of the State of Tamil Nadu based on the representation made by the petitioner on 03.03.2014.

2. The learned counsel appearing for the writ petitioner states that the writ petitioner is fully qualified for appointment to the post of Tap Inspector in the respondent Municipality. This apart, the writ petitioner cannot be considered as overaged candidate, in view of the fact that the age relaxation was granted under Rule 12(d) of the Tamil Nadu State and Subordinate Service Rules, in respect of the writ petitioner. However, the respondent has not considered the Rules and the Government Orders in this regard and rejected the candidature. The writ petitioner has submitted a representation on 03.03.2014 to consider his case in accordance with the above said provision and the same is yet to be considered.

3. Thus, without going into the merits of the matter, direct the respondent to consider the representation submitted by the writ petitioner on 03.03.2014 on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation and relevant documents along with the orders passed in this writ petition.

4. Accordingly, the writ petition stands disposed of. No costs. Consequently connected miscellaneous petition is also closed.

Sd/-  
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

sk  
To  
The Commissioner,  
Palladam Municipality,  
Palladam,  
Tiruppur District.

+1 cc to Mr.K.Rajkumar Advocate sr 83737

W.P.No.9330 of 2014

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