

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-01-2017

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.2087 of 2017
and W.M.P.No.2057 of 2017

C. Nagarathinam

Petitioner

Vs

1 The State of Tamil Nadu
Rep. by its Secretary to Government
Personnel and Administrative Reforms Department
Chennai - 600 009

2. The Director
Animal Husbandry and Veterinary Services
Chennai - 600 006

Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 2nd respondent to consider the claim of the petitioner dated 30-12-2016 for the appointment Office Assistant post by relaxing age limit in light in G.O.Ms.No.84, Personnel and Administrative Reforms Department dated 17-03-1993, and pass orders.

For petitioner : Mr. R. Sreedharan

For respondents : Mr. P. Senthilvel, Govt.Adv.

ORDER

Mr. P. Senthilvel, learned Government Advocate accepts notice on behalf of respondents.

2. By consent, the writ petition is taken up for final disposal.

3. The petitioner claims that he completed SSLC and also HSC and got his name registered in the Employment Exchange with registration No.DRD1993M00010275 dated 18-06-1984 and further, claims that he belongs to MBC Community. The petitioner has also applied for the post of Assistant in the services of Tamil Nadu Animal Husbandry and Veterinary Science and he was also issued with a Call Letter and has attended the interview on 27-12-2016 and thereafter, he was not informed of the result.

4. The learned counsel appearing for the petitioner would submit that the petitioner has got information that he is over-aged and hence, his candidature was not considered and in this regard, would draw the attention of this Court to G.O.Ms.No.84, Personnel and Administrative Department dated 17-03-1993 and would submit that in the light of the G.O., read with General Rule 12(d) Tamil Nadu State and Subordinate Service Rules came to be amended, the candidature of the person has to be considered by the respondent and should not be rejected on the ground of over-aged.

5. This Court, heard the submissions of the learned counsel for the petitioner and the learned Government Advocate.

6. Though the petitioner prays for a larger relief as projected by him either in his representation or in his writ petition, this Court, in the light of the facts and circumstances of the case and without going into the merits of the claim made by the petitioner, directs the second respondent to consider and dispose of the petitioner's representation dated 30-12-2016, on merits and in accordance with law, and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

7. The writ petition is disposed of accordingly. No costs. The connected miscellaneous petition is closed.

s/d-
Assistant Registrar(CCC)

//True Copy//

Sub-Assistant Registrar

To

1. Secretary to Government
The State of Tamil Nadu
Personnel and Administrative Reforms Department
Chennai - 600 009
2. The Director
Animal Husbandry and Veterinary Services
Chennai - 600 006

+1 CC to Govt. Pleader, High Court, Madras, sr 5932

+1 CC to M/s. R. Sreedharan, Advocate sr 5479

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