

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-01-2017

CORAM:

THE HON'BLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.2123 of 2017
and W.M.P.No.2089 of 2017

R. Sakthi

Petitioner

Vs

1. The State of Tamilnadu rep. by
its Secretary
Personnel and Administrative Reforms Department
Fort St. George
Chennai - 600 009
2. The District Backward Class &
Minorities Welfare Officer
Dharmapuri
Dharmapuri District

Respondents

Petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 2nd respondent to consider the petitioner representation dated 03-12-2016 and 09-01-2017 for the appointment of the petitioner as a Sweeper by relaxing the age limit as per G.O.Ms.No.98, Personnel and Administrative Reforms Department, dated 17-07-2016 and to pass orders.

For petitioner : Mr. R. Sreedharan

For respondents : Mr. P. Senthilvel, G.A.

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 after completing 9th standard got registered her name in the District Employment exchange, Dharmapuri vide registration No. DRD2006F00012135 on 02-11-2006 with employment NCO Code X0210. The petitioner claims that she

belongs to Non Priority MBC Community and her name was sponsored for the appointment for the post of Sweeper in the 2nd respondent-Office and accordingly, she appeared for an interview on 03-12-2016 and her candidature was not considered on the ground that the petitioner is over-aged.

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

5. 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.98, Personnel and Administrative Reforms Department dated 17-07-1996, and would submit that in the light of the G.O., the candidature of the person has to be considered by the respondent and should not be rejected on the ground of over-aged and prays for the same.

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 03-12-2016 and 09-01-2017, 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. Consequently, the connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

glp

To

1. The Secretary
Personnel and Administrative Reforms Department
Fort St. George
Chennai - 600 009

2. The District Backward Class &
Minorities Welfare Officer
Dharmapuri
Dharmapuri District

+1 cc to the Government Pleader High Court
Madras sr 5933
+1 cc to M/s.R.Sreedharan Advocate sr 5480

W.P.No.2123 of 2017

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