

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.11.2017

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THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.28122 of 2017

Dr.(Lt). K.Rajakumar

...Petitioner

Versus

1.The State of Tamil Nadu
rep. by its Principal Secretary to Government,
School Education Department,
Secretariat, Fort St. George,
Chennai-9.

2.The Director of Public Libraries (In-Charges),
No.737/1, Anna Salai,
Chennai-2.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to furnish the report which allegedly found him not suitable for the post of Director of Public Libraries in the interview conducted on 14.07.2017 by considering his representation dated 25.10.2017 within a reasonable time fixed by this Court.

For Petitioner : Mr.K.Srinivasamurthy

For Respondents : Mr.V.Jayaprakash Narayanan,
Special Government Pleader

सतरागेन जयते
O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 1st respondent to furnish the report, which allegedly found him not suitable for the post of Director of Public Libraries in the interview, conducted on 14.07.2017 by considering his representation dated 25.10.2017 within a reasonable time fixed by this Court.

2. The case of the petitioner is that he is now working as Selection Grade Librarian in Dr.Ambedkar Government Arts College (Autonomous), Chennai-39 which is a Grade I College. Pursuant

to the notification issued by the 2nd respondent for the post of Director of Public Libraries, he applied for the same and attended an interview on 14.07.2017. Along with him, two others persons have also attended the interview. Further according to the petitioner, except him, the other two persons failed to satisfy the required service qualifications prescribed in the Tamil Nadu Education Service Rules. The petitioner did the interview well and he was very hopeful in getting appointment. But, he was not selected. Subsequently, no one was found eligible for the said post. Therefore, the petitioner gave a representation dated 25.10.2017 to the 1st respondent to inform him as to how he was found ineligible. But, there is no response for the same. Hence the present Writ Petition.

3. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader takes notice on behalf of the respondents 1 and 2.

4. At the outset, this Court is of the view that the present Writ Petition is not at all maintainable. Firstly, having participated in the interview held on 14.07.2017 for the post of Director of Public Libraries, the petitioner should have made an application only to the concerned Public Information Officer seeking information with regard to the said interview. But, the petitioner without resorting to the said course, simply sent a representation only on 25.10.2017. Secondly, when the petitioner has made a representation only on 25.10.2017, not supported with any proof of sending, without even giving any reasonable time to the 1st respondent, has approached this Court. Therefore, I find no inaction on the part of the 1st respondent.

5. For this, the learned Counsel for the petitioner submitted that even though, in the Contempt Petition, which was filed against the order passed in W.P.No.1952/2017 dated 6.4.2017, wherein this Court directed the 1st respondent therein to fill up the post of Director of Public Libraries in accordance with law, within a period of three months from the date of that order, the 1st respondent has failed to do so. Therefore, the learned Counsel submitted that the present Writ Petition has been filed without waiting for sometime after giving the representation.

6. However, this Court is of the view that as stated earlier, the petitioner is only to approach the Public Information Officer. Moreover, the petitioner is not even able to produce any proof for filing of the representation of the petitioner dated 25.10.2017.

7. In view of all the above, the Writ Petition fails and the same is accordingly dismissed. No costs.

Sd/-
Asst.Registrar (CS V)

/true copy/

Sub Asst. Registrar

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To

- 1.The Principal Secretary to Government,
State of Tamil Nadu,
School Education Department,
Secretariat, Fort St. George,
Chennai-9.
 - 2.The Director of Public Libraries (In-Charges),
No.737/1, Anna Salai,
Chennai-2.
- + 1 cc to M/s.Row & Reddy, Advocate, SR.78214
- + 1 cc to The Govt.Pleader, SR.79327

W.P.No.28122 of 2017

NR 20/11/2017

सत्यमेव जयते

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