

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P.No.25734 of 2013

M.P.Nos.1 & 2 of 2013

Kannan

.. Petitioner

Versus

1. The Government of Tamilnadu,
Rep. by its Secretary,
Revenue Department,
Fort St.George, Chennai - 600 009.
 2. The District Collector,
Villupuram District.
 3. The District Employment Officer,
Villupuram District.
 4. The Tahsildar,
Tindivanam, Villupuram District.
- .. Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus directing the District Employment Officer, Villupuram District, the 3rd respondent herein to sponsor the name of the petitioner to the 4th respondent i.e., the Tahsildar, Tindivanam Taluk to call for the interview for the post of Village Assistant in Tindivanam Taluk, Villupuram District on 12.09.2013 and 13.09.2013 or any other date specified by the 4th respondent in Tindivanam Taluk.

For Petitioner : M/s.K.Balakrishnan

For Respondents: Mr.S.Diwakar, Spl.G.P.

O R D E R

The learned counsel appearing for the petitioner has submitted that the petitioner belongs to the Schedule Caste Adi Dravidar community and he applied for the post of Village Assistant in the Oakkur Panchayat Union, Tindivanam Taluk. The minimum educational qualification for the said post is VIII Standard Pass or 10 Standard fail. The petitioner has passed the VIII Standard and enrolled his name with the District Employment Officer, Villupuram, on 07.06.1991 and periodically

renewing his name. The petitioner is aged about 42 years and as per his contention, he is entitled for age relaxation upto 45 years. But, the petitioner was not called for interview, for the said post. Hence, the petitioner has filed this Writ Petition with the aforesaid prayer.

2. The learned Special Government Pleader appearing for the 4th respondent has filed a detailed counter affidavit, wherein he has stated that the upper age limit for the scheduled caste candidate is only 35 years as per the G.O. (Ms.)No.521, Revenue Service VII (2) Department, dated 17.06.1998. But the petitioner has already attained the age of 42 years, which the petitioner has himself admitted in his affidavit. Hence, the contention of the petitioner is not maintainable and liable for dismissal.

3. In view of the above submissions made by counsel for both sides, it is seen that the petitioner has crossed the upper age limit of 35 years. Moreover, already liberty was given to the petitioner to produce G.O. in respect of age relaxation for S.C. Candidate, which the petitioner has not produced. As no case has been made out by the petitioner, the prayer sought for in the Writ Petition cannot be granted. Hence, the Writ Petition fails. Accordingly, the Writ Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

pvs

To

1.The Secretary,
Revenue Department,
Fort St.George, Chennai - 600 009.

2. The District Collector,
Villupuram District.

3. The District Employment Officer,
Villupuram District.

4. The Tahsildar,
Tindivanam, Villupuram District.

+1cc to Government Pleader sr.9941

W.P.No.25734 of 2013
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