

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2017

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.44189/2016

Mr.G.Parthiban

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Petitioner

Vs

1. The District Employment Office
Entrepreneur Empowerment,
Nandanam, Chennai 600 035.
2. The Department of Employment and Training
District Employment Office [Unskilled]
Chennai.

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Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorarified mandamus calling for the records relating to the impugned order dated 30.09.2015 made in A6/630/2015 passed by the 1st respondent, quash the same and consequently direct the respondents to sponsor and forward the petitioner's name as eligible candidate for the forthcoming employment recruitments of the concerned departments by implementing G.O.ms.NO.98 dated 17.07.2006 passed Personnel and Administrative Reforms [P] Department, for upper age relaxation [40 to 45].

For Petitioner : M/s.S.P.Arthi

For Respondents : Mr.K.Dhananjayan, Spl.GP

ORDER

By consent, the writ petition is taken up for final disposal. Mr.K.Dhananjayan, learned Special Government Pleader accepts notice on behalf of the respondents.

2 The petitioner claims that he belongs to Hindu Adi Dravidar Community which is included in the List of Schedule Caste Community and he has completed SSLC through Tamil Medium in the year 1991. But, he could not pass the examination. The petitioner would further claim that he has also completed Diploma relating to Dress Making and Tailoring [Sewing and Dressmaking] and also registered his name in the District Employment Exchange office in the category of "Unskilled" vide Registration No.CHU1991M00006713 dated 15.07.1991. It is the claim of the petitioner that though the age limit prescribed for public employment is 40 years for people belonging to Schedule Caste community, in the light of the ban order, he could not enter the public service and subsequently, vide G.O.Ms.NO.98, P&AR [P] Department dated 17.07.2006, the upper age relaxation was given for five years and as such, the petitioner is eligible to be considered for selection to any public employment in the light of his qualification. In this regard, the petitioner had

3 The learned counsel for the petitioner, on instructions, would submit that the petitioner may be permitted to submit a representation to the respondents 1 and 2 to bring to their knowledge about G.O.Ms.No.98, P&AR Department, dated 17.07.2006 as to the age relaxation and that, they may be directed to consider the said representation on merits and in accordance with law and to pass appropriate orders.

4 This Court has considered the submissions of Mr.K.Dhananjayan, learned Special Government Pleader appearing for the respondents and perused the materials placed before this Court.

5 In the light of the plea made by the learned counsel for the petitioner on instructions, this Court permits the petitioner to submit a representation to the respondents 1 and 2 as to the relaxation of the age limit for securing public employment in terms of G.O.Ms.NO.98, P&AR Department, dated 17.07.2006, within a period of two weeks from the date of receipt of a copy of this order and the respondents 1 and 2, on receipt of the same, are directed to consider the said representation on merits and in accordance with law and pass orders within a further period of eight weeks thereafter and communicate the decision taken, to the petitioner.

6 The writ petition stands disposed of with the above direction. No costs.

s/d-

Assistant Registrar

//True Copy//

Sub-Assistant Registrar

To

1. The District Employment Office
Entrepreneur Empowerment,
Nandanam, Chennai 600 035.
2. The Department of Employment and Training
District Employment Office [Unskilled]
Chennai.

+1 CC to M/s. S.P. Arthi, Advocate, sr 275
<https://hcservices.courts.gov.in/hcservices>

+1 CC to The Govt. Pleader sr 232