



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 03.01.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD)No.24 of 2017

and

W.M.P(MD)No.17 of 2017

N.Jegan

... Petitioner

vs.

The Director of Animal Husbandry and Veterinary Services,
Chennai-6. ...Respondent

Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the respondents to conduct an interview to Petitioner for the post of office assistant and consequently select the petitioner to the said post in the Department of Tamil Nadu Animal Husbandry and Veterinary Services, Chennai.

For Petitioner	: Mr.N.Dilipkumar
For Respondent	: Mr.S.Sathishkumar
	Additional Government Pleader

ORDER

The prayer in the writ petition is for issuance of a Writ of Mandamus, directing the respondents to conduct an interview to the petitioner for the post of Office Assistant and consequently, select the petitioner to the said post in the Department of Tamil Nadu Animal Husbandry and Veterinary Services, Chennai.

2.It is not in dispute that applications were invited by the respondent from the eligible candidates to fill up the posts of Office Assistant and the petitioner is one among the applicants. The interview was scheduled to be held on 26.12.2016. The staff of the respondent for the reasons best known to him, sent the interview call letter to the petitioner only on 24.12.2016, for the interview scheduled to be held on 26.12.2016 at 09.00 a.m and 25.12.2016 being the Holiday, the petitioner received the call letter on 26.12.2016 in the Afternoon, after the Interview was over. Therefore, it is submitted that because of the belated despatch of the interview call letter, the petitioner could not attend the interview and his chance of getting selected and appointed is defeated for no fault of him.

3.The learned Additional Government Pleader appearing for the respondent would not dispute the fact with regard to the despatch



of the interview call letter, but however, submitted that news items were published in the daily newspaper, asking the candidates to appear for the Interview for the post of Office Assistant between 26.12.2016 and 30.12.2016.

4. Learned counsel for the petitioner would reply that it is only a news item published in the newspaper and not the notification of the respondent and that the petitioner rushed to the respondent department, but his request was turned down, on the ground that the interview was already over.

5. When this Court posed a question whether persons have already been appointed pursuant to the Interview conducted on 26.12.2016, the learned Additional Government Pleader submitted that it is in the process and there are vacancies to be filled up. Therefore, no harm is going to be caused, if the petitioner is interviewed and if found ultimately successful, his candidature can be considered to the said post. Rejecting the request of the petitioner on technical grounds thereby, depriving his chances of getting selected may not be correct. Hence, this Court directs the petitioner to appear before the respondent for the Interview to the post of Office Assistant on 11.01.2017 at 11.00 a.m and the respondent shall interview the petitioner and if ultimately, the petitioner is found eligible, his candidature may be considered.

6. Mr. Parameshwaran, Liaison Officer of the respondent department is present before this Court and he is directed to communicate this order to the officials concerned. Till the interview is over, one post for which the petitioner is going to attend the Interview, shall not be filled up and the result of the Interview shall be communicated to the petitioner on or before 12.01.2017.

With the above direction, this Writ Petition stands disposed of. No costs. Consequently, W.M.P(MD)No.17 of 2017 is closed.

Sd/

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar.

To

The Director of Animal Husbandry and Veterinary Services,
Chennai-6.

+1CC to M/S.N.Dilip Kumar, Advocate, SR.No. 452

+1CC to the Special Government Pleader, SR.No. 628

W.P. (MD) No.24 of 2017

03.01.2017