

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2018

CORAM:

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.30290 of 2016

C.Nagarathinam

... Petitioner

Vs

1.The District Collector,
Dharmapuri District.

2.The Assistant Director,
District Employment Office,
Dharmapuri.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents, particularly, the 2nd respondent to call for the petitioner for interview or recommend to 'FITTER' post in Government Jobs as per the norms, guidelines, age criteria and satisfying the educational qualification of the petitioner.

For Petitioner	:	No appearance
For Respondents	:	Mrs.P.Rajalakshmi, Addl. Govt. Pleader

O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondents, particularly, the 2nd respondent to call for the petitioner for interview or recommend to 'FITTER' post in Government Jobs as per the norms, guidelines, age criteria and the educational qualification of the petitioner.

2. The affidavit filed in support of the writ petition avers that after completing his Higher Secondary Education, the petitioner has completed Industrial Training and obtained National Trade Certificate from Industrial Training Institute, Coimbatore in July, 1993 and also obtained National Apprenticeship Certificate in the trade of "FITTER" from Government of Tamil Nadu, Department of Employment and Training, Madras in May, 1996. He has also registered his name in the 2nd respondent for employment. But the 2nd respondent has not considered his name for sponsoring to Government Employment is the grievance of the petitioner. Hence, he has filed the

present Writ Petition.

3. Learned Additional Government Pleader appearing for the respondents 1 and 2 has produced a copy of the Identity Card of the petitioner issued by the Department of Employment and Training, District Employment Office, Dharmapuri which shows his seniority in the Employment Exchange from 1991 and further seniority on his renewal in 1997 and 2010. The learned Additional Government Pleader submitted that the petitioner has become ineligible due to the passage of time as he has not fulfilled the age criteria to become a Fitter as one of the conditions to sponsor the Most Backward Class candidates is that they should be below 32 years. But, as on the date of filing of the Writ Petition, he was aged about 46 years and as on today, he is aged about 48 years. Therefore, his candidature cannot be considered.

4. I find some merits on the said submission of the learned Additional Government Pleader. No doubt, it is true that for considering a person who belongs to Most Backward Class for the Post of Fitter, Driver etc., he should be below 32 years. Since the petitioner herein is 48 years as on today, the prayer in the writ petition has become infructuous.

5. In the result, the Writ Petition fails and the same is accordingly dismissed. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

tsi

To

- 1.The District Collector,
Dharmapuri District.
- 2.The Assistant Director,
District Employment Office,
Dharmapuri.

+lcc to the Government Pleader, S.R.No. 81421

W.P.No.30290 of 2016

GN(17/12/2018)