

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 12.03.2018
CORAM

THE HONOURABLE Mr.JUSTICE V.PARTHIBAN
W.P.No.20924 of 2012 &
M.P.Nos.1 & 2 of 2012

D.Selvam

... Petitioner

Vs

1. The District Employment Officer,
O/o. District Employment Office,
Thiruvallur,
Thiruvallur District.
2. The Regional Joint Director,
O/o.Regional Joint Director,
Animal Husbandry Department,
Thiruvallur-600 201,
Thiruvallur District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records in proceedings Na.Ka.No.1512/E/2012 dated 13.07.2012 of the 2nd respondent and quash the same and consequently direct the 1st respondent to furnish the list of eligible candidates after including the name of the petitioner to the second respondent to proceed further to conduct fresh Interview for the post of Animal Husbandry Assistant in Tiruvallur District.

For Petitioner : Mr.R.Amardeep for
M/s.Tamizh Law Firm
For Respondents: Mr.D.Venkatachalam
Addl. Govt Pleader

ORDER

The petitioner has approached this Court, seeking the following relief:-

"To issue a Writ of Certiorarified Mandamus, calling for the records in proceedings Na.Ka.No.1512/E/2012 dated 13.07.2012 of the 2nd respondent and quash the same and consequently direct the 1st respondent to furnish the list of eligible candidates after including the name of the petitioner to the second respondent to proceed further to conduct fresh Interview for the post of Animal Husbandry Assistant in Tiruvallur District."

2. The grievance of the petitioner is that he was called for interview by the second respondent on 23.04.2008 for selection to the post of Animal Husbandry Assistant (AHA) on the basis of sponsoring by the first respondent. The said selection was put to challenge in the writ petition before this Court by certain persons and subsequently on the basis of certain orders, the entire selection came to be cancelled. Thereafter, it appears that another interview was scheduled to be held on 26, 27 and 28th July, 2012. But the petitioner was not one of the persons called for interview although several persons who were called for interview in 2008 along with the petitioner have been called in the subsequent interview. Therefore, he has approached this Court seeking to challenge the order dated 13.07.2012 calling the persons for interview and not calling the petitioner for appointment to the post of Animal Husbandry Assistant.

3. According to the petitioner, at the time of admission of the writ petition, an interim order was passed by this Court dated 02.08.2012, to keep one post unfilled in the category of Animal Husbandry Assistant. However, when the matter was taken up for hearing, it appears that due to passage of time, due to pendency of the litigation from this Court, the issue raised in the writ petition does not survive for any further consideration as the interview and the selection was already over in 2012. However, the learned counsel for the petitioner would submit that there are several vacancies in the post of Animal Husbandry Assistant as on date and the petitioner may be permitted to submit a representation seeking appointment against any of the vacancies and representation may be considered by the second respondent.

4. Upon notice, Mr.D.Venkatachalam, the learned Additional Government Pleader entered appearance on behalf of the respondents and the direction sought for presently is limited in its scope for which the learned counsel for the second respondent would have no valid objections.

5. In the above circumstances, this Court directs the petitioner to submit a representation seeking consideration of his candidature for appointment to the post of Animal Husbandry Assistant in any of the existing vacancies, within a period of two weeks from the date of receipt of a copy of this Court. On such representation being made, the second respondent shall consider the same in terms of the rules governing such appointment and pass a considered order, within a period of four weeks thereafter.

6. With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The District Employment Officer,
O/o. District Employment Office,
Thiruvallur,
Thiruvallur District.
2. The Regional Joint Director,
O/o. Regional Joint Director,
Animal Husbandry Department,
Thiruvallur-600 201,
Thiruvallur District.

+1 cc to the Govt pleader sr 18807
+1 cc to M/s.Tamizh Law Firm Advocate sr 18923

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