



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.02.2018

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) .No.7891 of 2014
and
M.P. (MD) .No.2 of 2014

P.Shanmugam

...Petitioner

Vs.

1.The Secretary,
The Government of Tamil Nadu,
Tamil Nadu State Transport Corporation Limited,
Chennai.

2.The Managing Director,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Limited, Kumbakonam,
Thanjavur District.

3.The Deputy Manager,
(Department of Human Resource Development),
Tamil Nadu State Transport Corporation,
(Kumbakonam) Limited, Kumbakonam,
Thanjavur District.

4.Kaviarasu

5.T.Thangakulanthai

6.K.Jegadesh

7.O.Umasankar

8.K.Karthick

9.V.Sathiyaraj

10.A.Mariajesu

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned notice issued by the second respondent by his vide proceedings in TNSTC/KUM/HRD/800/13 dated 31.10.2013 & 20.11.2013 and quash the same in so far as non-selection of the petitioner in the post of Junior Engineer in the Tamil Nadu State Transport Corporation (Kumbakonam) Limited, Kumbakonam.



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For Respondents : Mrs.S.Srimathy for R1
Special Government Pleader
: Mr.D.Sivaraman for R2 & R3
: No Appearance for R4 to R8 & R10
: R9-Not Known (Unserved)

ORDER

Heard the learned counsel on either side.

2.The petitioner is a diploma holder in Mechanical Engineering. His name was sponsored by the Employment Exchange for the post of Junior Engineer (Trainee) in the Tamil Nadu State Transport Corporation, Kumbakonam. He took part in the selection process. Since the petitioner was not informed the result of the selection process, he filed W.P.(MD).No.17247 of 2013. This Court directed the respondent/Corporation to publish the results. When the results were published, it was seen that the petitioner was not selected. The petitioner, therefore, questioned the same by filing this Writ Petition, aggrieved by the appointment of respondents 4 to 10.

3.In the affidavit filed in support of the Writ Petition, the only ground taken by the petitioner is that the respondent / Corporation has made appointments by appointing excess staffs as against the notified vacancies.

4.The learned counsel appearing for the petitioner filed an additional affidavit in this regard. This Court is not persuaded by any of the submissions made by the petitioner. The petitioner is clearly estopped from challenging the selection process. The petitioner was himself a participant. The respondent / Corporation considered the case of the petitioner, but thereafter, he was not selected as the private respondents herein were found to be better candidates than the petitioner. In this view of the matter, merely, because, the petitioner was not selected, it is not open to him to question the recruitment process on the ground now projected in the Writ Petition. There is no merit in the Writ Petition.

5.The Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

sd/
Assistant Registrar (AS)

/True Copy/



tsg
To

The Secretary,
The Government of Tamil Nadu,
Tamil Nadu State Transport Corporation Limited,
Chennai.

+1cc to Mr.D.Sivaraman, Advocate in SR.No. 47084
+1cc to Mr.C.Jeyaprakash, Advocate in SR.No.47366

GJM/JC/SAR-3-31.5.18-3p-4c

ORDER MADE IN
W.P. (MD) .No.7891 of 2014
08.02.2018