

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.1136 of 2019

H.Halvin

..Petitioner

Vs.

1. The Government of Tamil Nadu
represented by its Secretary to
Tourism Department,
Fort St.George,
Chennai - 600 009.
2. The Tamil Nadu Tourism
Development Corporation Ltd.,
(A Govt. of Tamil Nadu Undertaking),
represented by its Managing Director,
No.2, Wallajah Road,
Chennai -600 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the second respondent to give preference with reckoned to the petitioner's age and qualification while fresh recruitments are made in the second respondent corporation considering the twelve years of experience of the petitioner in the second respondent corporation.

For Petitioner : Mr.S.Selvamony
For Respondents : Mr.A.N.Thambidurai
Special Government Pleader

O R D E R

The relief sought for in the present writ petition is for a direction or order to give preference for appointment in the second respondent corporation as per the notification issued by the second respondent on 25.03.2018.

2 The learned counsel for the writ petitioner states that the petitioner has served as a contract labourer in the second respondent corporation for about twelve years. On account of an accident, he was unable to perform his duties and responsibilities for about two years.

3 The learned counsel for the writ petitioner states that the respondents issued a recruitment notification and invited applications for various posts in the respondent corporation.

4 It is needless to state that if the writ petitioner is otherwise qualified and eligible as per the terms and conditions stipulated in the recruitment notification, he is at liberty to submit his application in the manner known to law and only after the process of selection, the case of the writ petitioner can be considered. If at all the petitioner is qualified, the case of the writ petitioner shall be considered along with all other eligible candidates in the process of selection. It is made clear that the recruitment and the process of selection is to be conducted strictly in accordance with the recruitment rules in force. "Equality of opportunity in matters of public employment" is the constitutional mandate and appointments are to be made only by following the rules in force. Thus, in the case of eligibility and if an application is submitted, the case of the writ petitioner shall be considered along with all other candidates.

With these observations, this writ petition is disposed of.
No costs.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

nsd/dua

To

1. The Government of Tamil Nadu
represented by its Secretary to
Tourism Department,
Fort St.George, Chennai - 600 009.

2. The Tamil Nadu Tourism
Development Corporation Ltd.,
(A Govt. of Tamil Nadu Undertaking),
represented by its Managing Director,
No.2, Wallajah Road,
Chennai - 600 002.

+lcc to Mr.S.Selvamony, Advocate, S.R.No. 13628

+lcc to the Government Pleader, S.R.No. 14091

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CA(CO)

GN(18/03/2019)