

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2019

CORAM:

THE HONOURABLE MR. JUSTICE M.M. SUNDRESH
AND
THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.A. No. 562 of 2013

D. Shankar ... Appellant

Vs.

1. The District Employment Officer
District Employment Office,
Thiruvallur District,
Thiruvallur.
2. The District Collector,
Thiruvallur District,
Thiruvallur,
Chennai - 600 092.
3. State Express Transport Corporation Ltd
Rep. By its Managing Director,
Pallavan Salai,
Chennai 600 002 ... Respondents

Prayer: Appeal filed under Clause 15 of the Letters Patent against the order dated 09.10.2012 in W.P. No. 23256 of 2012 on the file of this Court. Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of mandamus directing the respondents to consider the representation of the petitioners dated 10.8.2012 and to sponsor his name for the post of conductor as per G.O.Ms.98 P & AR dated 17.7.2006.

For Appellant : Mr. M. Sivavarthan

For Respondents : M/s. A. Sri Jayanthi,
Special Govt. Pleader for R1& R2
R3 - No appearance

J U D G M E N T
(Delivered by M.M.Sundresh,J.)

The appellant, who did not have the age qualification to be considered for the recruitment, made a representation seeking relaxation as per the G.O.Ms.No. 98, Personnel and Administrative Reforms(S) Department, dated 17.07.2006.

2. The learned Single Judge referring to the subsequent G.O.Ms.No.114, Personnel and Administrative Reforms(S) Department, dated 11.08.2010, dismissed the writ petition holding that such a request cannot be considered. Incidentally, it has also been held that the above said G.O.Ms.No. 98 has got no application to the case of the appellant, since it is applicable to those who were affected by the ban order from the year 2001 to 2006 alone.

3. We do not find any merit in this appeal. The appellant does not have the vested right to seek for relaxation of age. Admittedly, at the time of notification itself, which is said to have been quashed, the appellant did not have the age qualification.

In such view of the matter, the writ appeal stands dismissed. No costs.

Sd/-
Assistant Registrar(CCC)

//True copy//

Sub Assistant Registrar

ssm

To

1. The District Employment Officer
District Employment Office,
Thiruvallur District,
Thiruvallur.

2. The District Collector,
Thiruvallur District,
Thiruvallur,
Chennai - 600 092.

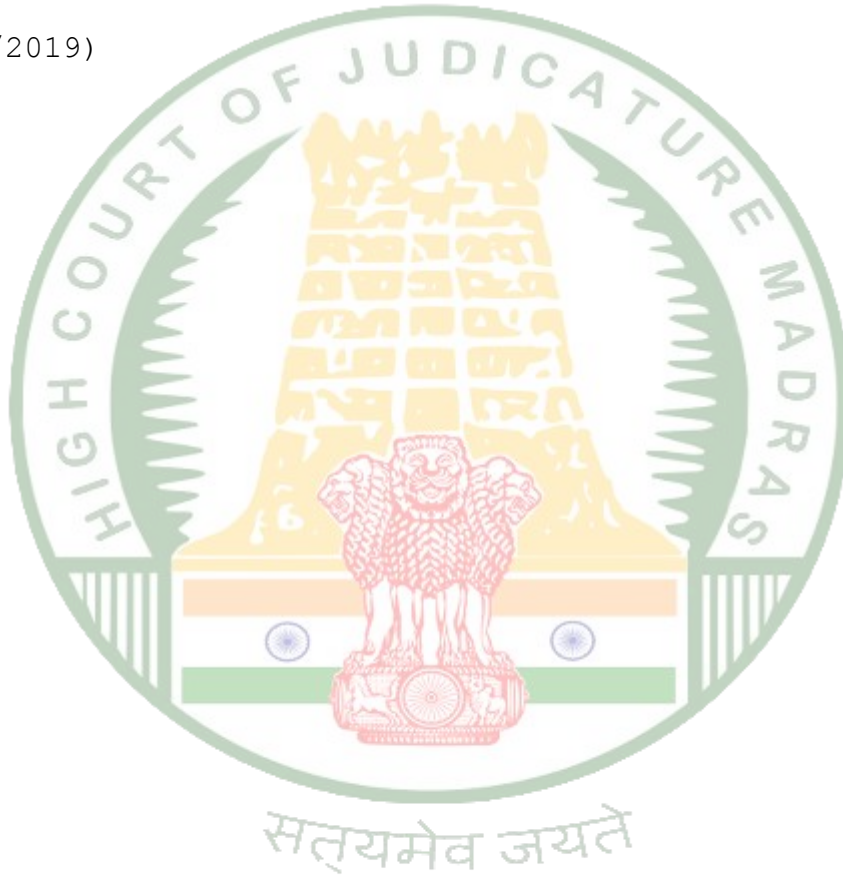
3. The Managing Director,
State Express Transport Corporation Ltd.,
Rep. By its
Pallavan Salai,
Chennai 600 002

+1cc to Mr.M.Sivavarthanan, Advocate SR.No.796

+1cc to Government Pleader SR.No.1460

W.A. No. 562 of 2013

KS (CO)
GMY (07/02/2019)



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