

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.02.2019

CORAM

THE HONOURABLE Mr.JUSTICE T.RAJA

W.P.No.17825 of 2009
and M.P.Nos.1 & 2 of 2009

D.Panneerselvam

... Petitioner

Vs

1. The Managing Director,
Metropolitan Transport Corporation Ltd.,
Pallavan Salai, Chennai-2.
2. The Managing Director,
Tamil Nadu State Express Transport Corporation Ltd.,
Pallavan Salai, Chennai-2.
3. The Managing Director,
Tamil Nadu Transport Corporation
(Villupuram Division I) Ltd.,
Valudhareddy Post, Salamedu,
Villupuram.
4. The Managing Director,
Tamil Nadu Transport Corporation (Madurai Division I) Ltd.,
Bye-pass Road, Madurai-625 016.
5. The Managing Director,
Tamil Nadu Transport Corporation
(Kumbakonam Division I) Ltd.,
Railway Station New Road,
Kumbakonam.
6. The Managing Director,
Tamil Nadu State Transport Corporation
(Salem Division I) Ltd.,
Rep. by its Managing Director,
12, Ramakrishna Road, Salem.
7. The Managing Director,
Tamil Nadu Transport Corporation
(Coimbatore Division I) Ltd.,
37, Mettupalayam Road, Coimbatore-641 043.

8. The Assistant Director,
Professional and Executive Employment Office,
No.5, Santhome High Road, Chennai-4.

9. The District Employment Officer,
Professional and Executive Employment Office,
Branch Office, Govt. I.T.I. Campus,
K.Pudur, Madurai-625 007.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking for issuance of Writ of Declaration declaring that the appointment made to the category of Assistant Engineers by direct recruitment in the respondents 1 to 7 from the year 2009 onwards without publishing, either in the new paper or in the website of Tamil Nadu State Transport Corporation and that of Tamil Nadu Employment Exchange Officer, the number of vacancies, the qualification required, mode and procedure of selection and without calling for all the eligible candidates irrespective of their place of residence within the State of Tamil Nadu as illegal, unconstitutional and void ab initio and consequently direct the respondents to oust from service forthwith such illegally appointed Assistant Engineers and to select afresh the candidates to fill up the vacancies in the category of Assistant Engineers by direct recruitment only after following the aforesaid constitutional scheme of public employment and further to direct the respondents to pay the petitioner the cost of litigation and suitable compensation.

For Petitioner : Mr.N.Subramaniyan

For R1, R2, R5 : Mrs.Rita Chandrasekaran
and R6 for Mr.Jayesh B.Dolia

For R8 and R9 : Mr.K.Ravikumar, AGP

For R3, R4 & R7 : Mr.T.Chandrasekaran

O R D E R

The petitioner, who is a B.E. (Automobile Engineering) graduate, also underwent apprenticeship training in the 8th respondent Corporation, is before this Court with the present Writ Petition seeking issuance of Writ of Declaration to declare the appointments made to the category of Assistant Engineers by direct recruitment in the respondents 1 to 7 Corporation from the year 2009 onwards as void ab initio and consequently direct the respondents to oust them from service forthwith and to

select the candidates afresh to fill up the vacancies by direct recruitment only after following the constitutional scheme of public employment.

2. When the petitioner has come to this Court seeking to declare the appointments made to the category of Assistant Engineers by direct recruitment as void ab initio, he has not given any particulars of any appointment made to the category of Assistant Engineers by direct recruitment. Secondly, he has not even questioned any order of appointment made for such category in the respondent Corporation. Thirdly, he has not even arrayed the person, in whose favour, order of appointment has been made in the category of Assistant Engineers, as party to the writ petition.

3. Thus, in view of the above, this Writ Petition is dismissed as not maintainable. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Managing Director,
Metropolitan Transport Corporation Ltd.,
Pallavan Salai, Chennai-2.
2. The Managing Director,
Tamil Nadu State Express Transport Corporation Ltd.,
Pallavan Salai, Chennai-2.
3. The Managing Director,
Tamil Nadu Transport Corporation
(Villupuram Division I) Ltd.,
Valudhareddy Post, Salamedu,
Villupuram.
4. The Managing Director,
Tamil Nadu Transport Corporation
(Madurai Division I) Ltd.,
Bye-pass Road, Madurai-625 016.

5. The Managing Director,
Tamil Nadu Transport Corporation
(Kumbakonam Division I) Ltd.,
Railway Station New Road,
Kumbakonam.
 6. The Managing Director,
Tamil Nadu State Transport Corporation
(Salem Division I) Ltd.,
Rep. by its Managing Director,
12, Ramakrishna Road, Salem.
 7. The Managing Director,
Tamil Nadu Transport Corporation
(Coimbatore Division I) Ltd.,
37, Mettupalayam Road, Coimbatore-641 043.
 8. The Assistant Director,
Professional and Executive Employment Office,
No.5, Santhome High Road, Chennai-4.
 9. The District Employment Officer,
Professional and Executive Employment Office,
Branch Office, Govt. I.T.I. Campus,
K.Pudur, Madurai-625 007. Respondents
- +1cc to Mr.N.Subramaniyan, Advocate, S.R.No.10642
+3cc to Mr.T.Chandrasekaran, Advocate, S.R.No.10693 & 11653
+1cc to the Government Pleader, S.R.No.11908

W.P.No.17825 of 2009

KAN(CO)
CS/25/03/2019

सत्यमेव जयते

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