

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2019

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.25867 of 2008 and
M.P.No.1 of 2008

1. A.Kumaran
2. D.Rajan

...Petitioners

Versus

1. Union of India
rep. by Government of Puducherry
through the Secretary to Government
for Local Administration Department,
Chief Secretariat, Puducherry.

2. The Director,
Local Administration Department,
Puducherry.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to issue appointment order to the petitioners to the post of Junior Engineer in the existing vacancies on the basis of the selection list prepared by the respondents for the post of Junior Engineer with all other consequential benefits like seniority arrears of pay etc.

For Petitioner : Mr.V.Ajayakumar

For Respondents : Mr.R.Syed Mustafa, Spl.G.P.

O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 2nd respondent to issue appointment order to the petitioners to the post of Junior Engineer in the existing vacancies on the basis of the selection list prepared by the respondents for the post of Junior Engineer with all other consequential benefits like seniority arrears of pay etc.

2. Learned Counsel appearing for the petitioners submitted that since the petitioners came to this Court when they were aged about 38 and 39 years respectively and now they are aged about 48 and 49 respectively, taking into account their age and qualification at the time of coming to this Court, a direction be issued to the 2nd respondent to appoint the petitioners as Junior Engineers.

3. But, this Court is unable to find any justification or any merits in the submission of the learned Counsel for the petitioners. The reason being that the petitioners were not even selected as eligible to be appointed as Junior Engineers in the year 2008. However, in view of the passage of time, making the petitioners over aged, the Writ Petition is not maintainable.

4. In the result, the Writ Petition fails and the same is accordingly dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS)

//True Copy//

Sub Assistant Registrar

tsi

To

1. The Secretary to Government
for Local Administration Department,
Union of India,
Government of Puducherry
Chief Secretariat, Puducherry.

2. The Director,
Local Administration Department,
Puducherry.

+1cc to Mr.V.Ajayakumar, Advocate SR.No. 6583

+1 CC TO GOVERNMENT PLEADER SR.NO. 15715

W.P.No.25867 of 2008

A.SK(20/03/2019)

सत्यमेव जयते

WEB COPY