

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 21.03.2019

CORAM

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P. NO.6017 OF 2011

AND

W.M.P. NO. 4330 OF 2017

1. R.Raja
2. S.Ravi
3. Rajesh

.. Petitioners

- Vs -

1. The Managing Director
Tamil Nadu State Transport
Corporation Ltd. (Villupuram Division)
Villupuram District.

2. The District Employment Officer
Cuddalore District, Cuddalore.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the respondents to consider the representation of the petitioners dated 3.2.2011 by directing the respondents to call letters to the petitioners and consider the appointment of Technicians in the 1st respondent Corporation in accordance with law.

For Petitioner : Mr. R.Sankarasubbu

For Respondents: Mr. T.Chandrasekaran for R-1

Mr. B.Vijay for R-2

ORDER

The petitioner has come forward with the present petition praying this Court to direct the respondents to consider the representation of the petitioners dated 3.2.2011 and further direct the respondents to consider the appointment of Technicians in the 1st respondent Corporation in accordance with law.

2. The petitioners are aggrieved by the 2nd respondent's action in not sponsoring their names for selection and appointment done by the 1st respondent, since they were the senior most persons in the said category. The selection, obviously, was conducted way back in the year 2011 and the said selection process has also attained finality.

3. It is the case of the petitioners that they are the seniormost persons, but, in the absence of the 2nd respondent sponsoring their names, the names of the petitioners could not be considered by the 1st respondent for selection and appointment. Though such a stand is taken, it is to be pointed out that the relief sought for cannot be granted for the simple reason that the selection process has attained finality. In case the petitioner has any grievance in the 2nd respondent not sponsoring them for the selection process by the 1st respondent, without due regard to their seniority, it is always open to the petitioners to proceed against the 2nd respondent in a manner known to law. It is certainly not open to the petitioners to seek issuance of a writ of mandamus and seeking direction to the respondents to issue call letters to them. In any case, at this distant point of time, the grievance of the petitioners cannot be entertained by this Court, since the selection pertains to the year 2011 and that the selection and appointment also has attained finality.

4. In view of the above, this Court does not find that this petition could be kept pending for the reasons aforesaid. Accordingly, this writ petition stands closed as no orders could be passed in the present writ petition at this point of time. Consequently, connected miscellaneous petition is closed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

GLN

To

1. The Managing Director
Tamil Nadu State Transport
Corporation Ltd. (Villupuram Division)
Villupuram District.

2. The District Employment Officer
Cuddalore District, Cuddalore.

+1cc to Mr.R.Sankarsubbu Advocate, S.R.No. 27251
+1cc to Mr.T.Chandrasekaran, Advocate, S.R.No. 27014
+1cc to the Government Pleader, S.R.No. 28037

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VSN II(CO)
GN(30/04/2019)