



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 22.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE **S.M.SUBRAMANIAM**

W.P. (MD).No.18753 of 2013

WEB COPY

V.Ganesan

... Petitioner

-Vs-

1.The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO)
Theni, Theni District.

2.The District Employment Officer,
District Employment Office,
Theni, Theni District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus , to direct the 2nd respondent to sponsor the name of the petitioner for the post of E.B. Assessor taking into account of his employment seniority and higher educational qualification to the 1st respondent office without reference to the maximum age limit fixed for schedule caste in the light of Rule 12(d) (i) of Tamil Nadu State and Subordinate Service Rules and consequently to direct the 1st respondent to call the petitioner for interview to the post of E.B. Assessor with in the period that may be stipulated by this Court.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates

For Respondents : Mr.G.Kasinathadurai (for R1)
Mr.D.Muruganantham
Additional Government Pleader
(for R2)

ORDER

The relief sought for in the present writ petition, is for a direction to direct the second respondent to sponsor the name of the writ petitioner for the post of E.B. Assessor taking into account of his employment seniority and higher educational qualification to the 1st respondent office without reference to the maximum age limit fixed for schedule caste in the light of Rule 12 (d) (i) of Tamil Nadu State and Subordinate Service Rules.

2.The very relief sought for in the present writ petition is misconceived. Sponsoring the names ought to be done strictly



in accordance with the rules in force. The appointments are to be made by following the recruitment rules in force. Only in the event of undertaking the process of selection, the authorities competent shall invite the list of eligible candidates from the Employment Exchange concerned. The Employment Officer on receipt of any such demand sponsor the name of the candidates by strictly following the seniority as well as the rules in relation to the communal rotations. Thus, the Court cannot issue any direction to direct the respondents to sponsor the name of the writ petitioner. The name of the writ petitioner is to be sponsored, if he is eligible for the post of E.B Assessor and in accordance with the seniority in employment registration. This being the procedures followed, the case of the writ petitioner is to be considered, if at all, an opportunity arises by following the procedures and in accordance with the rules in force. However, the writ petitioner is not entitled for the relief as such sought for in the present writ petition.

3. With these observations, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited (TANGEDCO)
Theni, Theni District.

2. The District Employment Officer,
District Employment Office,
Theni, Theni District.

+1 CC to M/s.G. KASINATHADURAI, Advocate (SR-83651[F] dated 27/08/2019)

+1 CC to M/s.SPL GP (SR-83298[F] dated 26/08/2019)

SJI

W.P. (MD) .No.18753 of 2013
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KM/ (06.09.2019) 2P 5C