



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.19887 of 2013

A.S.Bosco Arulraj

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary,
Transport Department,
Fort St. George, Secretariat,
Chennai-600 009.

2. The Managing Director,
Tamil Nadu State Transport Corporation,
Bypass Road, Madurai.

3. The General Manager,
Tamil Nadu State Transport Corporation,
Bypass Road, Madurai.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the petitioner's National Apprenticeship Training under Apprentices Act, 1961 with the 3rd respondent Transport Corporation determined by deducting from the age of the apprentice at that time the period of training undergone by the petitioner as prescribed under the Apprenticeship Act 1961, as per G.O.Ms.No.202, Labour and Employment Department, dated 01.02.1980 and to provide employment to the petitioner as Junior Grade Man (Motor Mechanic) in the 3rd respondent Transport Corporation in the light of the order passed by this Hon'ble Court in W.P.No.13705 and batch within a time stipulated by this Court.

For Petitioner : Mr.M.John Robert Kennedy

For R1 : Mr.S.Dhayalan
Additional Government Pleader

For R2 & R3 : Mr.A.Jeyaram



ORDER

The relief sought for in the present writ petition is for a direction to the respondents to consider the petitioner's National Apprenticeship Training under Apprentices Act, 1961 with the 3rd respondent Transport Corporation determined by deducting from the age of the apprentice at that time the period of training undergone by the petitioner as prescribed under the Apprenticeship Act 1961, as per G.O.Ms.No.202, Labour and Employment Department, dated 01.02.1980 and to provide employment to the petitioner as Junior Grade Man (Motor Mechanic) in the 3rd respondent Transport Corporation in the light of the order passed by this Hon'ble Court in W.P.No.13705.

2.The G.O.Ms.No.98 Personnel and Administrative Reforms(s) Department, dated 17.07.2006 is enclosed in page No.14 of the typed-set of papers filed along with the writ petition. The Government granted 5 years age relaxation to the candidates, who suffered non-appointment during the ban period from 2001 to 2006. Thus, the Government considered the cases, who suffered non-appointment during the ban period and granted 5 years age relaxation upto the year 2011. The said 5 years relaxation granted by the Government had already been lapsed in the year 2011 and now in the year 2019, the benefit of further age relaxation cannot be granted to the writ petitioner and if the writ petitioner is otherwise qualified and eligible for appointment, he is at liberty to participate in the process of selection if any notified by the competent authority.

3.With the above observations, this writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. The State of Tamil Nadu,
Rep. by its Secretary,
Transport Department,
Fort St. George, Secretariat,
Chennai-600 009.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The Managing Director,
Tamil Nadu State Transport Corporation,
Bypass Road, Madurai.

3. The General Manager,
Tamil Nadu State Transport Corporation,
Bypass Road, Madurai.

+1 CC to M/s.SPL GP (SR-78201[F] dated 29/07/2019)

W.P. (MD) No.19887 of 2013
26.07.2019

am

JMN (08.08.2019) 3P : 5C