

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED : 01.07.2019****CORAM:****THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN****W.P. (MD) No.21014 of 2017****WEB COPY**

P.Dineshkumar

... Petitioner

Vs.

1.The Director,

CBCID,
SIDCO Electronics Complex,
Block No.3, 1st Floor,
Guindy Industrial Estate,
Chennai 32.

2.The State of Tamil Nadu

represented by the Principal Secretary to Government,
Secretariat, Transport Department,
Fort St. George,
Chennai 600 009.

3.The Tamil Nadu State Transport

Corporation (Madurai) Limited,
represented by its Managing Director,
Bye Pass Road,
Madurai 625 016.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the first respondent to investigate the matter and to take appropriate action against the second and third respondents.

For Petitioner	:	Mr.G.M.Xavier
For R1	:	Mr.K.K.Ramakrishnan
		Additional Public Prosecutor
For R2 & R3	:	Mr.D.Sivaraman

O R D E R

This Writ Petition has been filed seeking a direction to the first respondent to investigate the complaint of the petitioner and to take appropriate action against the respondents 2 and 3.

2. The grievance of the petitioner is that in the year 2014, the respondents 2 and 3 called for appointment to the post of Junior Assistant in various State Transport Corporation. The petitioner has also applied for that and without conducting any written examination, based on the oral interview, the appointments



are made, after receiving gratification from various persons. In the above circumstances, the petitioner made a complaint before the Director General of Police, Chennai, but no action has been taken. Hence, the present writ petition has been filed.

3. The learned counsel for the petitioner submitted that earlier this Court, by an order dated 27.08.2014, in W.P.No.20290 of 2012, directed the respondents to conduct a written examination for the post of Junior Assistant and without conducting any written examination, the respondents 2 and 3 are conducted oral interview and based on that, appointments made after receiving illegal gratification.

4. The learned Additional Public Prosecutor on instructions would submit that already the order passed by this Court in W.P.No.20290 of 2012 has been stayed by the Division Bench of this Court on 30.12.2014, in M.P.No.1 of 2014 in W.A.No.1737 of 2014. In the above circumstances, the appointments were made based on the oral interview. That apart, all the appointments were made in the year 2015. Now, after keeping quiet for more than two years, he sent a representation in the year 2017 and thereafter, filed the present writ petition.

5. I have considered the rival submissions and perused the materials available on record.

6. On perusal of the representation, it is seen that the representation sent by the petitioner to the Director General of Police merely making a vague allegation that the appointments were made after receiving illegal gratification and to substantiate the same, there is no material. That apart, as rightly contended by the learned Additional Public Prosecutor that the appointments were made in the year 2015 and after more than two years, the petitioner sent a representation to the authorities on 14.10.2017, making some vague allegations regarding the appointments. In the said circumstances, the complaint is not only vague but also belated and the writ petition is also to be dismissed on the ground of laches. That apart, so far as conducting the written examination is concerned, the order passed by the learned single Judge is stayed by a Division Bench. In the above circumstances, the petitioner cannot have any grievance on that ground and there is no merit in this writ petition. Accordingly, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //



To

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3.The Managing Director,
Tamil Nadu State Transport
Corporation (Madurai) Limited,
Bye Pass Road,
Madurai 625 016.

+1 CC to Mr.D.SIVARAMAN, Advocate SR-72836.

**Order made in
W.P. (MD) No.21014 of 2017
Dated: 01.07.2019**

CS(23.07.2019) 3P 5C