



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.18986 of 2017

and

W.M.P. (MD) No.15352 of 2017

R.Manimaran

... Petitioner

-Vs-

The Commissioner,
Devakottai Municipality,
Sivagangai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records relating to the impugned notification issued by the respondent vide his proceedings e.f.vz;2168/rp1/2015, dated 20.09.2017 and quash the same as illegal.

For Petitioner : Mr.B.Anandan

For Respondent : Mr.Mohammed Imran,
for M/s.Ajmal Associates.

ORDER

The present Writ Petition is filed, challenging the notification dated 20.09.2017, issued by the respondent.

2.The respondent has issued notification, calling for the applications for the post of Town Planning Inspector and has fixed educational qualifications for the said post as Diploma in Civil Engineering.

3.According to the learned counsel appearing for the petitioner, the qualification of Diploma in Civil Engineering fixed by the respondent for appointment to the post of Town Planning Inspector, is illegal. The petitioner is a B.E., degree holder in Civil Engineering and the said degree is equivalent to Diploma in Civil Engineering and it is a higher qualification.

4.The learned counsel appearing for the petitioner further contended that the respondent is considering some particular B.E., degree holders and not considered other eligible B.E., degree holders and prayed for allowing this Writ Petition.



5. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondent and perused the materials available on record.

6. The contentions of the learned counsel appearing for the petitioner that the person, who possessed Diploma in Civil Engineering is not eligible for appointment, is not acceptable. It is for the respondent, who is the employer, to fix educational qualifications as well as the mode of selection. The learned counsel appearing for the petitioner contended that the respondent is considering only some particular B.E., degree holders and not considering other eligible candidates. But, the petitioner has not furnished any particulars of the B.E., degree holders, whom the respondent has considered for appointment in exclusion of other B.E., degree holders. The petitioner has also not stated whether he was applied for the said post, if so, the date on which, he applied. Hence, this Court is not inclined to interfere with the impugned notification issued by the respondent, dated 20.09.2017.

7. For the above reasons, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

Myr

+1 CC to M/s.H.MOHAMMED IMRAN, Advocate (SR-90692[F] dated 01/10/2019)

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JMN(23.10.2019) 2P : 2C