

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.20526, 20527, 20529 to 20531 of 2013

M.C.Krishnamurthy	... Petitioner in W.P.20526/2013
S.Kathirvel	... Petitioner in W.P.20527/2013
S.Shanmugamoorthi	... Petitioner in W.P.20529/2013
S.Sivaraj	... Petitioner in W.P.20530/2013
P.Anbarasan	... Petitioner in W.P.20531/2013

Vs.

The General Manager,
Tamilnadu State Transport Corporation (CBE) Limited,
Erode Division,
Erode. ... Respondent in all the W.Ps.

Common Prayer:

Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent herein to consider the name of the petitioners for the post of Mechanic MV (ITI) as sponsored by the District Employment Exchange, Erode by relaxing the maximum age limit taking into account one year period of apprenticeship training underwent by the petitioners in the respondent Corporation.

For Petitioners: Mr.Mohammed Nazrullah
For Respondent : Mr.A.Sundaravadhanam

C O M M O N O R D E R

The petitioners have filed these writ petitions seeking issuance of Writ of Mandamus directing the respondent to consider the name of the petitioners for the post of Mechanic MV (ITI) as sponsored by the District Employment Exchange, Erode, by relaxing the maximum age limit taking into account one year period of apprenticeship training underwent by the petitioners in the respondent Corporation.

2.Since the issue involved in all these writ petitions are one and the same they are heard together and disposed of by way of a common order.

3.The case of the petitioners is that the petitioners, after successful completion of apprenticeship, have worked as casual

labours in the respondent Corporation during the year 2001. The petitioners name were recommended by the District Employment Exchange Office, Erode, for the post of Junior Tradesman (Mechanic ITI) on 03.07.2013. The names recommended by the District Employment Exchange were also published in Tamil Dailies like 'Kaalaiakadir' dated 03.05.2013 and 'Dhinakaran' dated 04.05.2013.

4.It is the further case of the petitioners that the petitioners received interview letter dated 03.07.2013 from the respondent Corporation directing them to appear for the interview on 10.07.2013, however, when the petitioners appeared for the interview, the respondent refused to allow them to participate in the interview on the ground that they are over aged. Aggrieved by the same, the petitioners have filed the present writ petitions.

5.The learned counsel appearing for the petitioners would submit that the respondent Corporation ought to have relaxed the maximum age limit taking into account the one year period of apprenticeship training underwent by the petitioners. However, the respondent Corporation mechanically refused to allow the petitioners to participate in the interview on the ground that they are over aged.

6.The learned counsel appearing for the respondent would submit that the power for relaxing the age limit vest with the Government and the respondent Corporation do not have the power to relax the age limit. He would further submit that pursuant to the interview, rejection order was passed. The petitioners without impleading the Government as party respondent and without challenging the rejection order, have filed these writ petitions, which is un-sustainable.

7.Heard the arguments advanced on either side and perused the materials available on record.

8.Perusal of records reveal that the petitioners received interview letter dated 03.07.2013 from the respondent Corporation directing them to appear for the interview on 10.07.2013, however, when the petitioners appeared for the interview, the respondent refused to allow them to participate in the interview on the ground that they are over aged.

9.From the submission of the learned counsel appearing for the respondent, it is known that pursuant to the interview, rejection order has been passed. However, the petitioners without challenging the rejection order, have filed these writ petitions. Hence, this Court is not inclined to grant the relief sought for in these writ petitions.

10.The writ petitions are accordingly dismissed. However, liberty is granted to the petitioners to work out the remedy in the manner known to law. No costs.

Sd/-
Assistant Registrar(CS)

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Sub Assistant Registrar

To

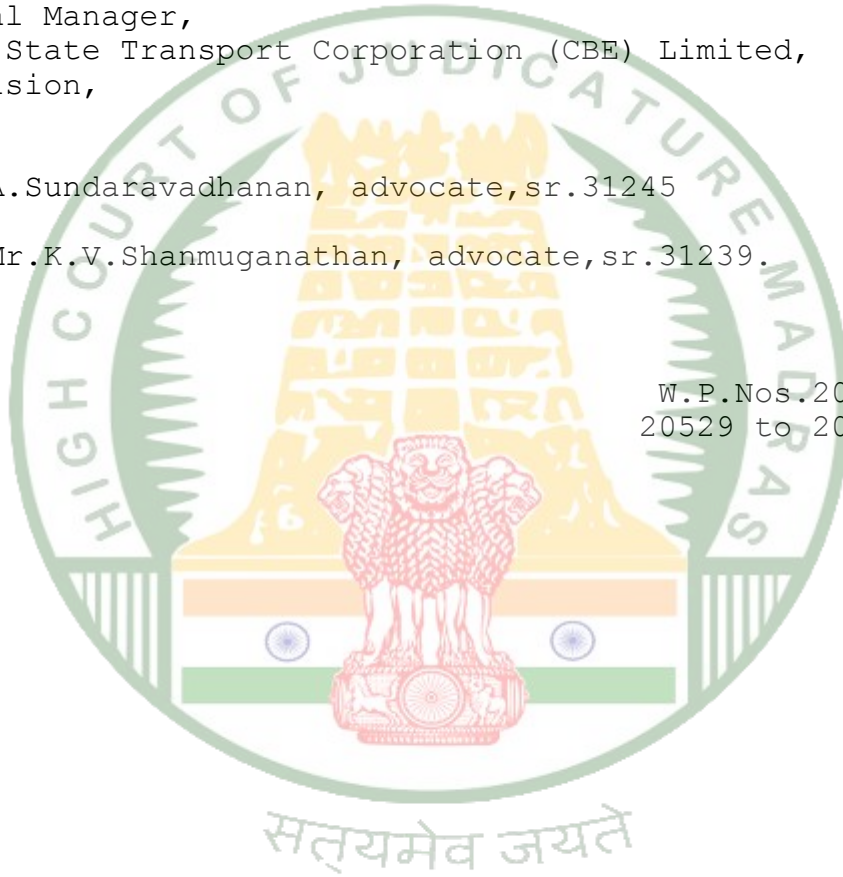
The General Manager,
Tamilnadu State Transport Corporation (CBE) Limited,
Erode Division,
Erode.

+1 cc to A.Sundaravadhanan, advocate,sr.31245

+1 cc to Mr.K.V.Shanmuganathan, advocate,sr.31239.

Jp(co)
krd 2/11

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