

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2020

CORAM:

THE HONOURABLE MR. JUSTICE T. RAJA

Writ Petition No.38535 of 2005 and
WMP.No.41260 of 2005

K.Govindasamy

...Petitioner

Vs

1. The Managing Director,
Pondicherry Road Transport Corporation Limited,
Pondicherry.

2. The Manager (Administration),
Pondicherry Road Transport Corporation Limited,
Pondicherry.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner and to appoint the petitioner to the post of Conductor as notified in the News Paper on 14.11.2005 Daily Thanthi by the respondents.

For Petitioner : Mr.V.Ajaykumar

For Respondents : Mr.T.Arul Raj,
Senior Counsel for R1 and R2

O R D E R

The present Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondents to consider the petitioner and appoint him to the post of Conductor as notified in the Daily Thanthi News Paper on 14.11.2005.

2. Learned Counsel for the petitioner submitted that the petitioner after passing S.S.L.C. has taken Conductor Licence and also acquired two years Experience in a well established Private Transport Bus Service. He belongs to OBC category. Hence, he is entitled to get the benefit of reservation under that category. While so, the 2nd respondent has issued a Notification calling for applications for filling up the post of Conductor in Daily Thanthi Newspaper on 14.11.2005. In response

to the same, the petitioner has submitted his application for the post of Conductor along with relevant documents as prescribed in the Notification. Since the qualification prescribed for the post of Conductor is passing of S.S.L.C., possessing of Conductor Licence, Certificate in First Aid and Two Years Experience Certificate from a reputed bus company and the petitioner is also having the said qualifications, his case should have been considered.

3. The learned Counsel for the petitioner further submitted that on 10.10.2005, the petitioner was issued with a Memorandum directing him to appear in person at Seagulls Bar & restaurant, Pondicherry on 19.10.2005 at 9.30 a.m. for certificate verification. Thereafter, he was not permitted to write the written and oral tests which were held on 06.11.2005 at 10.30 a.m. and 08.11.2005 respectively. Even though, the petitioner has attended the certificate verification, he was not issued with any call letter for oral and written tests. Therefore, the petitioner has made a representation to the respondents seeking permission to take up both the written and oral tests. Since there is no response for the same, the petitioner has filed the present Writ Petition.

4. Heard the learned Standing Counsel for the respondents and I have also perused the typed set of papers filed along with the Writ Petition.

5. A perusal of the typed set of papers reveals that in the affidavit filed in support of the writ petition, though the petitioner has stated that he was directed to bring the following certificates for verification, namely, 1. Certificate relating to Educational and Technical qualification, 2, Birth Certificate, 3, Community Certificate, 4, Experience Certificate and 5, Employment Exchange Registration Card on 19.10.2005 at 9.30 a.m., it appears that he has not produced the Experience Certificate and Conductor Licence for Certificate Verification. That apart, the petitioner has not even filed the same before this Court along with the Writ Petition to substantiate his case. Therefore, I find no merit in the Writ Petition.

5. In the result, the Writ Petition fails and the same is accordingly dismissed. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

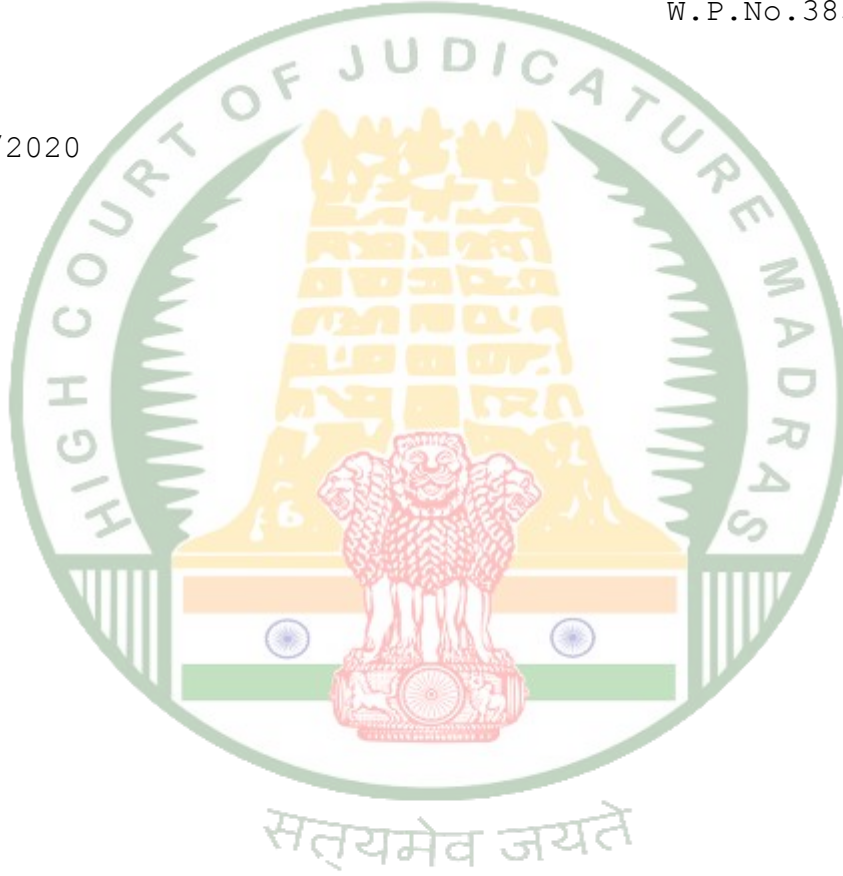
tsi

To

1. The Managing Director,
Pondicherry Road Transport Corporation Limited,
Pondicherry.
2. The Manager (Administration),
Pondicherry Road Transport Corporation Limited,
Pondicherry.

W.P.No.38535 of 2005

MSR(CO)
KKV/17/07/2020



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