

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE :24.07.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO. 30791 OF 2013

and

M.P.No.1 of 2013

M.Gnanavel

.. Petitioner

- Vs -

1.The District Collector,
Namakkal District,
Namakkal.

2.The District Employment Officer
District Employment Office,
Mohanur Road, Namakkal.

3.The Superintendent Engineer,
Tamilnadu Electricity Board,
Paramathi Road, Namakkal.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, directing the 2nd respondent to sponsor the name of the petitioner to the 3rd respondent for the purpose of Certificate Verification to be appointed to the post of Electrician Helper Trainee scheduled to held in between 11th of November, 2013 to 16th of November, 2013 or on such other future dated .

For Petitioner : M/S.K.A.Mariappan

For Respondents: Mr.A.N.Thambidurai, Spl.G.P
for RR1 & 2
: Mr. Karthik Rajan for R3

ORDER

The petitioner has come up with the above writ petition praying to direct the 2nd respondent herein to sponsor the name of the petitioner to the 3rd respondent for the purpose of Certificate Verification and to appoint him to the post of Electrician Helper Trainee scheduled to held

in between 11th of November, 2013 to 16th of November, 2013 or on such other future dated.

2. Heard both sides.

3. It is averred in the affidavit filed in support of the petition, that the petitioner is having required educational and technical certificates and has been renewing his registration in the employment exchange regularly, the 2nd respondent employment exchange has not sponsored the name of the petitioner to the 3rd respondent for the purpose of Certificate Verification for being appointed to the post of Electrician Helper Trainee till before November, 2013. In this regard, the petitioner sent a representation to the 2nd respondent pointing out the infirmities, which evoked no response. Therefore, left with no other option, the petitioner has come before this Court by filing the present petition with the above said prayer.

4. It is the submission of the learned counsel for the petitioner that the petitioner is the senior most person in the seniority list being maintained by the second respondent and his name has not been sponsored. The fault of the 2nd respondent in not sponsoring the name of the petitioner cannot be put in detriment to the petitioner. However, learned counsel on instructions submitted that it would suffice if this Court issues a direction to the respondent to consider the petitioner's representation dated 11.11.2013, in accordance with law.

5. On the above contention, this Court heard the learned Special Government Pleader appearing for the official respondents 1 and 2, and the learned standing counsel appearing for the 3rd respondent, who submitted that the selection process has come to an end long back and therefore, nothing survives for further adjudication in this case.

6. A perusal of the materials available on record reveal that the petitioner did not enjoy any interim order when the writ petition was filed. Further, as is evident, the selection process pertains to the year 2013 and the selection has come to an end by now, as submitted by the respondents. Therefore, the prayer itself not maintainable and the relief sought for is wholly misconceived. There is no material placed before this Court to show that the seniority has not been followed. The selection process having already come to an end, nothing further survives for adjudication in the present petition. Accordingly, this

writ petition is dismissed. Consequently, connected miscellaneous petition is closed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

jrs

To

- 1.The District Collector,
Namakkal District,
Namakkal.
- 2.The District Employment Officer
District Employment Office,
Mohanur Road, Namakkal.
- 3.The Superintendent Engineer,
Tamilnadu Electricity Board,
Paramathi Road, Namakkal.

+1cc to Mr.Karthik Rajan Advocate, S.R.No.25328
+1cc to the Government Pleader, S.R.No.25289

W.P. NO.30791 OF 2013
and
M.P.No.1 of 2013

MG (CO)
CB(14/08/2020)

सत्यमेव जयते

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