



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.03.2020

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P (MD) No.3505 of 2020

N.Alaguraja

... Petitioner

vs.

1)The District Collector,
Theni District, Theni.

2)The Project Director,
District Rural Development Agency,
Rural Development and Panchayat Raj Department,
Theni.

3)The Personal Assistant to Collector,
Panchayat Department,
Collectorate,
Theni,Theni District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the 1st Respondent to consider the petitioner's application for the backlog vacancy of the Road Inspector Grade-II against Most Backward and De-notified Community in terms of the notification vide Na.Ka.No.2151/2020/Vu.Va 5 dated 24.01.2020 by considering the petitioner's representation dated 07.02.2020 within the period that may be stipulated by this Honourable Court.

For Petitioner : Mr.K.Sivabalan

For Respondents : Mr.M.Karuppasamy Pandian

ORDER

The prayer in this writ petition is for issuance of a Writ of Mandamus, to direct the 1st Respondent to consider the petitioner's application for the back log vacancy of the Road Inspector Grade-II against Most Backward and De-notified Community in terms of the notification vide Na.Ka.No.2151/2020/Vu.Va 5 dated 24.01.2020 by considering the petitioner's representation dated 07.02.2020, within the period that may be stipulated by this Honourable Court.

2.The petitioner would submit that on 09.01.2015, a notification was called for by the 1st respondent for five posts of Road Inspector Grade-II and the qualification for the said post



is, one must have the qualification of I.T.I Certificate in Civil Draftsmanship from the Government Recognised Institute and in respect of age, he ought not to have completed 35 years on the cut off date. According to the petitioner, he had passed I.T.I (Draftsmen Civil) and completed the said course in July 2014 and a certificate was issued by the National Council for Vocational Training and registered his name in the District Employment & Career Guidance Centre, Theni. According to the petitioner, he participated in the recruitment for the year 2015, but later on, the respondent cancelled the said recruitment. However, now, the respondents have called for notification dated 24.01.2020 for filling up 14 posts of Road Inspector including 4 backlog posts. According to the petitioner, now he is aged 36 years and if they conducted interview as per the earlier notification, he would have got selected. Therefore, he had sent a representation dated 07.02.2020 to the respondents to consider his application for the backlog post by relaxing the age qualification which was not considered. Hence, this writ petition.

3.Today, when the writ petition is taken up for hearing, learned counsel for the petitioner would state that it is suffice, if a direction is issued to the respondents to pass orders on the representation of the petitioner dated 07.02.2020.

4.The learned Government Advocate appearing for the respondents would state that the respondents will pass orders on the representation of the petitioner dated 07.02.2020 within a time frame to be fixed by this Court.

5.Considering the limited relief sought for and the submission of the learned Government Advocate, this writ petition is disposed of directing the respondents to pass orders on the representation of the petitioner dated 07.02.2020 in accordance with law within a period of **(*)two weeks** from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(P & A)

**(*)Modified vide court order dated 16.03.2020
in WP(MD)Nos.3505 & 3952 of 2020**

Sd/-

Assistant Registrar(P & A)

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/ /2020

Sub Assistant Registrar(CS)



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To

(*) to be substituted the order already despatched on 11.03.2020

1)The District Collector,
Theni District, Theni.

2)The Project Director,
District Rural Development Agency,
Rural Development and Panchayat Raj Department,
Theni.

3)The Personal Assistant to Collector,
Panchayat Department,
Collectorate,
Theni, Theni District.

+1 CC to M/s.SPL.GP (SR-11057[F] dated 11/03/2020)

+1 CC to M/s.K.SIVABALAN, Advocate (SR-10914[F] dated
10/03/2020)

ORDER MADE IN
W.P(MD)No.3505 of 2020
DATED : 10.03.2020

DB(CO)

TR(11.03.2020) 3P 6C

TR(17.03.2020) 3P 6C