



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.21192 of 2014

and

M.P (MD) .No.1 of 2014

WEB COPY

K.R.Ramesh Kumar

... Petitioner

-Vs-

1.The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam Ltd.,
Kumbakonam, Thanjore District.

2.The General Manager (Administration),
Tamil Nadu State Transport Corporation,
Karaikudi Division,
Sivagangai District.

3.The General Manager (Accounts Section),
Tamil Nadu State Transport Corporation,
Karaikudi Division,
Sivagangai District.

4.The Assistant Manager (Administration),
Tamil Nadu State Transport Corporation,
Karaikudi Division,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to follow 3% reservation in the recruitment to the post of Junior Assistant and provide age relaxation to the petitioner as contemplated in Section 33, 38(1) of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 r/w Government Order in G.O.Ms.No.704 dated 15.04.1964 and to appoint the petitioner in the post of Junior Assistant within the time period stipulated by this Court.

For Petitioners	: Mr.G.Karthik for Mr.T.Lajapathi Roy
For Respondents	: Mr.D.Sivaraman

ORDER

All appointments are to be made strictly in accordance with the Recruitment Rules in force as well as by implementing the Rule of Reservation. Even in a case of appointment, where 200 roster posts are followed, vertical and horizontal reservation were to be



followed, thereby providing opportunity to the differently abled persons also. The reservation provided for differently abled candidates is to be fitted by implementing horizontal reservation. This being the principle is to be followed, this Court is of the opinion that the respondents are bound to conduct recruitment in accordance with the Rules and by following the regulations. In the present case, the recruitment was conducted long back during the year 2013 and the relief sought for in the writ petition is to direct the respondent to follow 3% reservation. The writ petition is pending for the past more than six years. If at all, there is any violation, the petitioner would have brought to the notice of this Court or to the competent authority during the relevant point of time. However, the petitioner has not approached this Court nor the concerned authorities, on identifying such violation. Thus after this late point of time, no such relief can be granted and it is made clear that, all the future recruitment are to be made strictly in accordance with the Service Rules in force.

2. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

rmk

+1 CC to Mr.D. SIVARAMAN, Advocate (SR-19720[F] dated 12/10/2020)

+1 CC to Mr.T. LAJAPATHI ROY, Advocate (SR-19872[F] dated 13/10/2020)

W.P. (MD) .No.21192 of 2014
12.10.2020

VR (CO)

KM (22.10.2020) 2P 3C