



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.2548 of 2014

and

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

S.Balachandar

... Petitioner

Vs.

1. The District Employment Officer,
Tirunelveli District,
Tirunelveli.
2. The Directorate of Employment and Training ,
Government of Tamil Nadu,
Guindy, Chennai - 600 032.
3. The Secretary,
Department of Employment and Training,
Government of Tamil Nadu,
Fort Saint George, Chennai.
4. The Principal Secretary to Government,
Personnel and Administration Reforms Department,
Fort St. George, Chennai-9.

(R4 Suo Motu Impleaded vide Order District
31.07.2019 made in WMP(MD).Nos.2547,
1979, 2100, 2102,2103, 2548 and 2549/2014)

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to sponsor the Petitioner's candidature to the second respondent and directing the second respondent to allow the petitioner to participate in the selection process without reference to the petitioner's age for the appointment to the post of Junior Training Officer/Instructor (Wireman) and consider the petitioner's candidature for the same.

For Petitioner : Mr.G.Prabhu Rajadurai

For Respondents : Mr.S.Dhayalan
Government Advocate



ORDER

The relief sought for in the present writ petition is to direct the first respondent to sponsor the Petitioner's candidature to the second respondent and directing the second respondent to allow the petitioner to participate in the selection process without reference to the petitioner's age for the appointment to the post of Junior Training Officer/Instructor (Wireman) and consider the petitioner's candidature for the same.

2. The grievance of the writ petitioner is that he is fully qualified for appointment to the post of Junior Training Officer (Electrician). However the persons not possessing the requisite basic qualifications and experience are considered.

3. With the above said apprehension, the writ petition is filed. However six years lapsed and the appointments are made by following the procedures contemplated. It is made clear that all appointments to the post of Junior Training Officer(Electrician) is to be made strictly in accordance with the rules in force. The eligible candidates have to be considered for the purpose of appointment. It is also made clear that equal opportunity in public employment is the Constitutional mandate. The rules in force as well as the rules relating to reservation to be followed, while undertaking the process of selection and appointment.

4. This being the principles to be followed, the respondents are directed to undertake the process of selection and appoint the candidates strictly in accordance with the rules in force and if any violations are made with reference to the qualifications, the authorities concerned are bound to take action against the erring officials.

5. With the above clarifications, the Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SSL



To

1. The District Employment Officer,
Tirunelveli District,
Tirunelveli.
2. The Directorate of Employment and Training ,
Government of Tamil Nadu,
Guindy, Chennai - 600 032.
3. The Secretary,
Department of Employment and Training,
Government of Tamil Nadu,
Fort Saint George, Chennai.
4. The Principal Secretary to Government,
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Fort St. George, Chennai-9.

+1 CC to M/s.G. PRABHU RAJADURAI, Advocate (SR-20385[F] dated
16/10/2020)

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and
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KM(CO)
TR(05.11.2020) 3P 6C