



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.14558 of 2015

and

M.P(MD) .Nos.1 and 2 of 2015

WEB COPY

M.Karuppiah

... Petitioner

Vs.

The Commissioner,
Muthukulathur Panchayat Union,
Ramanathapuram District.

... Respondent

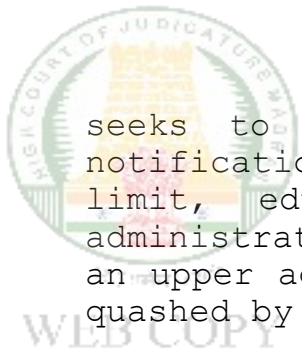
PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the notification dated 21.07.2015 in Na.Ka.No.A1/911/2015 published in Thina Thanthi daily, dated 24.07.2015 by the respondent herein with respect to filling up of vacancy of Office Assistant at Muthukulathur Panchayat Union, quash the same and further direct the respondent to continue the process of filling up of vacancy of Office Assistant at Muthukulathur Panchayat Union on the basis of notification dated 06.04.2015.

For Petitioner : Mr.S.Anand Chandrasekar
for M/s.Sarvabhauman Associates
For Respondent : Mr.G.Muthukannan

ORDER

The relief sought for in the present writ petition is to quash the notification published in Thina Thanthi daily, dated 24.07.2015 and further to direct the respondent to continue the process of recruitment to the post of Office Assistant, based on the notification dated 06.04.2015.

2.The issuance of recruitment notification is an administrative prerogative of the employer concerned. Only in the event of any illegality or in violation of the Statute, the Court can interfere with the recruitment notification and in all other circumstances, the employers are empowered to conduct recruitment as per the proceedings contemplated. The petitioner seeks a direction to conduct the process of selection based on the notification issued earlier, which was not acted upon. The revised notification issued on 21.07.2015 and published in the newspaper on 24.07.2015 is sought to be quashed. The grounds stated in the writ proceedings are that the impugned notification deprives the chance of the petitioner on account of the prescription of upper age limit. Thus, the petitioner



seeks to quash the recruitment notification. In the earlier notification, there is no such age limit. The prescription of age limit, educational qualification and other criteria are the administrative decision of the employer concerned and merely because an upper age limit is fixed, the recruitment notification cannot be quashed by the Court.

3.This apart, the impugned notification was issued on 21.07.2015 and already five years lapsed. In these circumstances, no relief can be granted as prayed in the writ petition and accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Ns

To

The Commissioner,
Muthukulathur Panchayat Union,
Ramanathapuram District.

W.P. (MD) No.14558 of 2015

and

M.P (MD) .Nos.1 and 2 of 2015

15.12.2020

MK (CO)

CS (11.01.2021) 2P 2C