



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD)No.14953 of 2015

and

M.P(MD) .Nos.1 to 3 of 2015

T.Soundarraaj

... Petitioner

Vs.

1.The Executive Officer,
Reethapuram Town Panchayat,
Reethapuram,
Kanyakumari District.

2.The District Employment Officer,
Kanyakumari District,
Nagercoil.

... Respondents

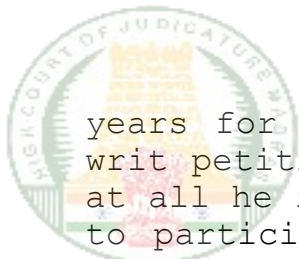
PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned notification issued by the 1st respondent vide Na.Ka.No.207/2014/A1 dated 20.07.2015 and quash the same in so far as it relates to fixation of upper age limit for the post of Pipeline Fitter alone and consequently, directing the respondents to appoint the petitioner as Pipeline Fitter in the permanent vacancy now available in Reethapuram Town Panchayat, Kanyakumari District.

For Petitioner	: Mr.S.Bharathy Kannan
For R2	: Mr.G.Arjunan
	Government Advocate
For R1	: Mr.G.Muthukannan

ORDER

The recruitment notification, dated 20.07.2015, is sought to be quashed.

2.The learned counsel appearing on behalf of the writ petitioner made a submission that the age limit fixed for the post of Pipeline Fitter is contrary to the judgment of the Hon'ble Division Bench of this Court, dated 13.03.2014. The Division Bench of this Court directed the authorities to frame Rules and accordingly, follow the same uniformly. However, the draft Rules were framed and it is not known whether the Rules came into effect or not. However, as on the date of the impugned notification, there was no restrictions regarding the age limit to be fixed in the recruitment notification. As per the impugned notification, the age limit fixed for appointment to the post of Pipeline Fitter was 35



years for SC/ST, 30 years for OC and 32 years for MBC and BC. The writ petitioner is now working in the Town panchayat, as Driver. If at all he is eligible in accordance with the rules, he is at liberty to participate in the process of selection if any notified. It is further contended that based on the impugned notification, no appointments are made, if so, the respondents have to act for recruitment by issuing a fresh notification and by following the Rules in force. In the event of issuing any such notification, the petitioner is at liberty to submit his application, if he is otherwise qualified in accordance with the Rules in force.

3. With these observations, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (P and A)

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/ /2020

Sub Assistant Registrar(CS)

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To

1. The District Employment Officer,
Kanyakumari District,
Nagercoil.

2. The Executive Officer,
Reethapuram Town Panchayat,
Reethapuram,
Kanyakumari District.

+1 CC to M/s.GP (SR-23926[F] dated 03/12/2020)

W.P. (MD) No.14953 of 2015

and

M.P(MD) .Nos.1 to 3 of 2015

02.12.2020

AC (CO)

KK(16.12.2020) 2P 4C