



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD)No.21600 of 2015

and

M.P(MD) .No.1 of 2015

WEB COPY

A.Elango

... Petitioner

Vs.

The General Manager,
Tamil Nadu State Transport Corporation Limited,
(Kumbakonam Division)
Trichirappalli.

... Respondent

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the respondent in proceedings ThaAaPooka/Trichy/PaPi-P2/93/2015 dated 20.07.2015 and quash the same as illegal, incompetent and without jurisdiction and further direct the respondent to appoint the petitioner in the post of conductor.

For Petitioner : Mr.T.Pon Ramkumar
For Respondent : Mr.D.Sivaraman
Standing Counsel

ORDER

The order impugned, dated 20.07.2012, declining the claim of the writ petitioner to appoint him to the post of Driver in the Transport Corporation, is under challenge in the present writ petition.

2.The learned counsel for the petitioner states that such relaxation extended by the Government, in lieu of the period is not extended to the writ petitioner and therefore, the writ petition is to be considered.

3.The earlier writ petition filed by the writ petitioner in W.P.No.10918 of 2009, dated 04.06.2012 was not considered properly by the respondent and the claim of the writ petitioner for appointing was denied.

4.The learned counsel for the respondent states that in respect of the similar issue, the Corporation preferred an Writ Appeal in W.A.No.834 of 2012 and the said appeal was allowed in favour of the Transport Corporation.



5.This Court is of the considered opinion that the petitioner had participated in the process of selection. His case was considered on merits and accordingly, he was not selected. Thus, he cannot now questioning the terms and conditions stipulated in the recruitment notification. It is the settled principles that the candidates, who have participated in the process of selection, accept the terms and conditions of the recruitment notification, cannot thereafter, challenge the same, if they are not selected. This being the principles, this Court is of the considered opinion that the case of the writ petitioner deserves no further consideration. This apart, the writ petitioner is now aged about 50 years and therefore, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

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/ /2020

Sub Assistant Registrar(CS)

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To

The General Manager,
Tamil Nadu State Transport Corporation Limited,
(Kumbakonam Division)
Trichirappalli.

+1 CC to M/s.D.SIVA RAMAN, Advocate (SR-25472[F] dated 15/12/2020)

W.P. (MD) No.21600 of 2015

and

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14.12.2020

mj (CO)

KK(22.12.2020) 2P 3C