

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.30606 of 2014
and
M.P.No.1 of 2014

V.R.Manohar

... Petitioner

Vs

1.The District Collector,
Nilgiri District,
Udhagamandalam,
The Nilgiris.

2.The District Employment Officer,
Nilgiri District,
Udhagamandalam,
The Nilgiris.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to sponsor the name of the petitioner as candidature for the recruitment of Road Inspector being called for by the respondents dated 25.07.2012 and 24.10.2014.

For Petitioner : Mr.K.Thilageswaran

For Respondents : Mr.J.Ramesh, AGP

ORDER

The relief sought for in this writ petition is to direct the respondents to sponsor the name of the petitioner as candidature for the recruitment of Road Inspector being called for by the respondents dated 25.07.2012 and 24.10.2014.

2.It is the case of the petitioner that though he is fully qualified and his name was sponsored by the Employment Exchange for recruitment to the post of Road Inspector, pursuant to the notification dated 25.07.2012, he was not given appointment to the said post. On the second occasion i.e., 24.10.2014, when the notification for recruitment to the post of Road Inspector was

issued, the name of the petitioner was not even sponsored by the Employment Exchange on the ground that he was 35 years old. Feeling aggrieved, he has come up with this writ petition for the aforesaid relief.

3. Upon notice, the 2nd respondent filed a detailed counter affidavit, inter alia stating that the name of the petitioner was sponsored by the District Employment Exchange, Nilgiris vide proceedings dated 30.07.2012 to the District Collector, Nilgiris for the post of Road Inspector. However, his name was not sponsored during the year 2014, for the reason that he was aged about 35 years. According to this respondent, the primary duty of the District Employment Exchange is to sponsor the names of the eligible candidates as per the conditions stipulated in the notification and hence, the allegation raised by the petitioner is baseless.

4. Heard both sides and perused the materials placed before this Court.

5. This Court is of the opinion that it is unfortunate, the candidature of the petitioner was not considered for recruitment to the post of Road Inspector, though his name was sponsored by the Employment Exchange and he was found eligible for the same. However, it is the bounden duty of the respondent authorities to make appointment, after following the relevant rules and procedures prevailed for the same and the same cannot be interfered with, without any concrete material.

6. Therefore, this writ petition stands disposed of, with a direction to the respondents to consider the candidature of the petitioner sympathetically, as and when vacancy arises. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

सत्यमेव जयते
Assistant Registrar (CS V)

//True Copy//

Sub Assistant Registrar

mtl
To

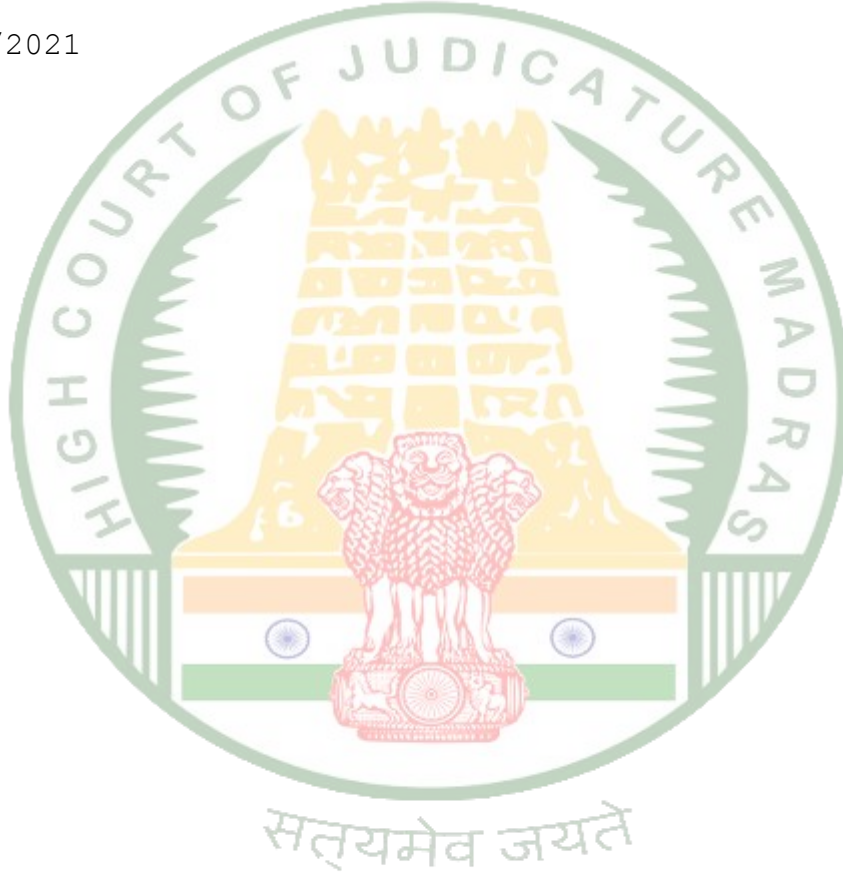
1. The District Collector,
Nilgiri District,
Udhagamandalam,
The Nilgiris.

2.The District Employment Officer,
Nilgiri District,
Udhagamandalam,
The Nilgiris.

+1cc to Mr.K.Thilageswaran, Advocate Sr.17241
+1cc to the Government Pleader Sr.17986

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