

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 06.01.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.20008 of 2020
(Heard through VC)

B.Vimala

.. Petitioner

-vs-

The Director,
Directorate of Employment and Training,
Employment Division 5th Floor,
Chepauk, Chennai - 600 005.

.. Respondent

Prayer: Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the respondent to offer the petitioner's job considering petitioner's family condition as expeditiously as possible.

For Petitioner : Mr.C.Srinivasan
for M/s.Swaminathan Law Associates

For Respondent : Mr.J.Pothiraj
Special Government Pleader

O R D E R

The petitioner has come forward with this writ petition, seeking a direction to the respondent to offer employment to her, by considering her family condition, as expeditiously as possible.

2. The case of the petitioner is that though she registered her name with the employment exchange and sent various letters, representations, communications to the office of the District Employment, Chief Minister Cell, Mayor of Chennai Corporation, seeking a suitable job at any Government Department, the same were rejected stating that the petitioner has crossed the prescribed age limit.

3. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondent.

4. The relief sought for by the petitioner cannot be granted, as the writ petition itself is not maintainable. The plea raised by the petitioner that her representations have not been considered by the respondent to provide her a job cannot be gone into at this stage in this writ petition, in view of the judgment of the Honourable Supreme Court in the decision in Excise Superintendent, Malkapatnam, Krishna District, A.P. vs. K.B.N. Visweshwara Rao and others, reported in 1996 (6) SCC 216, holding that the employment exchange is not the only source of recruitment. The petitioner could have either very well applied by verifying various advertisements published in newspapers, on the basis of her qualification or could have taken steps to opt for self employment. Without doing so, sending several representations to various departments including to the Chief Minister's Cell of the State, cannot be considered to be a correct method to seek for employment. Moreover, the petitioner is 43 years old as on date and therefore, this Court is not inclined to grant the relief sought for by the petitioner.

5. In view of the above, the writ petition fails and the same is dismissed. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

rsi
To

The Director,
Directorate of Employment and Training,
Employment Division 5th Floor,
Chepauk, Chennai - 600 005.

+1 cc to M/s.Swaminathan Advocate sr 1145
+1 cc to the Government Pleader High Court, Madras sr759

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