



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.11.2021**

CORAM:

THE HONOURABLE **DR.JUSTICE ANITA SUMANTH**

W.P. (MD)No.3528 of 2018

and

W.M.P. (MD)No.3665 of 2018

WEB COPY

P.Karuppasamy

...Petitioner

/Vs./

1.The Director,
Department of Tourism - Tamil Nadu,
No.2, Wallajah Road,
Tourism Complex, Chennai - 600 002.

2.The Deputy Director,
Department of Tourism - Tamil Nadu,
No.2 Wallajah Road,
Tourism Complex, Chennai - 600 002.

3.The Commissioner,
Department of Tourism - Tamilnadu,
No.2 Wallajah Road,
Tourism Complex, Chennai - 600 002.

4.The Regional Manager,
Tamilnadu Tourism Development Corporation,
Hotal Tamil Nadu Complex,
Madurai.

...Respondents

PRAYER:- Writ Petition - filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the Respondent No.1 to give preference to petitioner in recruitment, and relaxation in the maximum age limit as per Rule 50 of Tamil Nadu State and Subordinate Service Rules, for the appointment of Drivers against the vacancies advertised in Na.Ka.No.3510/MaVaMe2/2012 dated 28.12.2017 on the file of the Respondent No.1 within the time stipulated by this Court.

For Petitioner

: Mr.T.Lajapathi Roy

For Respondents

: Mr.K.S.Selvaganesan

Standing Counsel for State

ORDER

The petitioner has prayed for a Writ of Mandamus, directing the first respondent ie., the Director, Department of Tourism, to accord preference to the petitioner in recruitment by relaxing the



maximum age limit, as per Rule 50 of the Tamil Nadu State and Subordinate Service Rules against vacancies advertised on 28.12.2017.

2.The second and third respondents ie., the Deputy Director and the Commissioner, Department of Tourism, R2 and R3 respectively have filed a common counter, wherein they state that they are unable to accept the petitioner's plea, by reason of the Judgment of the Hon'ble Supreme Court, in the case of **Secretary to Government, School Education Department Vs. V.Govindasamy [CDJ Law Journal 2014 SC 146]**.

3.The petitioner seeks to differentiate the same, but rather than appreciating the distinction in this writ petition and seeing as the petitioner has made representations before the respondents dated 20.01.2018 and 24.01.2018, which are admittedly pending before the third respondent, I believe it would suffice that a direction is issued to R3 to dispose the aforesaid representations of the petitioner, after hearing the petitioner and in accordance with law, within a period of eight weeks from the date of uploading of this order in the official website of this Court. This order is ofcourse subject to there being vacancies as on date for the post, to which appointment is sought.

4.This Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Director,
Department of Tourism - Tamil Nadu,
No.2, Wallajah Road,
Tourism Complex, Chennai - 600 002.

3. The Comr
Departm

4.The Regional Manager,
Tamilnadu Tourism Development Corporation,
Hotal Tamil Nadu Complex,
Madurai.

+1 CC to M/s.SPL.GP (SR-33944[F] dated 10/11/2021)

W.P. (MD) No. 3528 of 2018
09.11.2021

_RD/SKN (22.11.2021) 3P 7C