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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2022

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.885 OF 2022

AND

WMP.NOS.972 & 4521 OF 2022

1. Navamani Ramasamy
2. E.Ramkumar
3. K.Ravikumar
4. S.Baskar

... Petitioners

vs.

1. The Secretary to Government of Tamil Nadu,
Housing and Urban Development Department,
Fort St.George, Chennai-600 009.
2. The Member Secretary,
CMDA, Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to relax the age limit and extend the benefit of preferential treatment with regard to educational qualification to the petitioners in respect of Notification No.2/Estt/CMDA/Recruitment/2021 issued by the second respondent dated 19.12.2021.

For Petitioner : Mr.D.Senthilkumar

For Respondents : Mr.T.Arunkumar
Additional Govt. Pleader
for R1
Mr.R.Sivakumar for R2



O R D E R

The prayer in the Writ Petition is for a Mandamus directing the respondents to relax the age limit and extend the benefit of preferential treatment with regard to educational qualification to the petitioners in respect of Notification No.2/Estt/CMDA/Recruitment/2021 issued by the second respondent dated 19.12.2021.

2. The case of the petitioners is that they have applied for the post of Assistant Planner under the second respondent Department in pursuant to the notification dated 19.12.2021 and the age limit fixed for BC/BCM/MBC & DC is 18 to 34 as on 01.07.2021 and the last date for submission of online application was on 03.01.2022. The petitioners have crossed the maximum age limit of 34 and therefore, they made a representation to the second respondent dated 29.12.2021 to consider for relaxation of age so as to enable them to apply for the said post in the light of the earlier order of this Court dated 24.03.2014 made in W.P.No.35457 of 2007 and the same is pending consideration before the second respondent, without passing any orders and therefore, the petitioners have filed the present writ petition.

3. The learned counsel for the petitioners submits that it would be suffice if the second respondent is directed to consider the representation submitted by the petitioners for age relaxation to apply for the post of Assistant Planner and to pass appropriate orders.

4. Mr.R.Sivakumar, learned counsel, who takes notice for the second respondent, submits that the petitioners have crossed the maximum age limit for applying to the post of Assistant Planner as per the notification and therefore, their application cannot be considered, but considering the fact that the petitioners have made a request for relaxation of age limit, the same will be considered in accordance with law.

5. In the light of the above said submissions and considering the limited scope of prayer, this Court directs the second respondent to consider the representation made by the petitioners dated 29.12.2021 seeking age relaxation and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.



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6. The Writ Petition stands disposed of with the above directions. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-V)

//True Copy//

Sub Assistant Registrar

Jvm

To

1. The Secretary to Government of Tamil Nadu,
Housing and Urban Development Department,
Fort St.George, Chennai-600 009.
2. The Member Secretary,
CMDA, Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.

+2ccs to M/s.D.Senthil Kumar, Advocate, S.R.No.33509

+1cc to M/s.R.Sivakumar, Advocate, S.R.No.32721

+1cc to the Government Pleader, S.R.No.33624

W.P.No.885 of 2022

SR(CO)
RLP(16/06/2022)