



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.18604 of 2007
and
M.P.Nos.3 & 4 of 2007

1.C.Arjunan

2.V.Sankar

3.P.Pasam

...Petitioners

-Vs-

1.Government of Tamilnadu,
Rep. by its Secretary,
Labour Employment (N2) Department,
Fort St. George, Chennai - 9.

2.The Special Commissioner and
Commissioner of Employment Exchange,
Chennai - 32.

3.Metropolitan Transport
Corporation (Chennai) Ltd.,
Rep. by its Managing Director,
Pallavan Salai, Chennai - 2.

4.D.Deva Kambeeam

5.S.Muthuvelan

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Declaration, declaring that the action of the 3rd respondent in making appointment to the post of conductors by direct recruitment after 01.05.2007 as illegal and contrary to G.O.Ms.No.65, dated 30.03.2007 and the clarification in Letter No.2167/N2/2007-2 dated 25.04.2007 of the first respondent and consequently direct the 3rd respondent to fill up the post of Conductors afresh strictly in accordance with G.O.Ms.No.65, dated 30.03.2007 and the clarification in Letter No.2167/N2/2007-2 dated 25.04.2007 .



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For Petitioners: Mr.V.Ajoy Khose

For R1 & R2 : Mr.C.Selvaraj,
Additional Government Pleader

For R3 : Ms.Pavithra Sundararajan
for Mr.K.Moorthy

For R4 & R5 : No Appearance

ORDER

The petitioners are aggrieved against the recruitment process for the post of Conductors in the year 2007.

2. According to the petitioners, the appointment itself was not in accordance with G.O.Ms.No.65, Labour and Employment (N2) Department, dated 30.03.2007 and therefore, seeks for a fresh recruitment process in accordance with the said Government Order.

3. The mode of recruitment that prevails as on date is in accordance with the subsequent G.O.Ms.No.86 dated 12.05.2007. Even assuming that the recruitment process conducted in the year 2007 is improper, the petitioners herein cannot be directed to be appointed and at the most, they would be entitled to participate in the next recruitment process. Even this participation, after about 15 years, particularly when all these petitioners are claimed to have crossed the age of 50, may not be appropriate.

4. Hence, no effective orders can be passed in the present Writ Petition, since the consequential prayer itself cannot be sustained, in view of the change in the policy for recruitment. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-II)

//True copy//

Sub Assistant Registrar

hvk



To

1.The Secretary,
Labour Employment (N2) Department,
Fort St. George, Chennai - 9.

2.The Special Commissioner and
Commissioner of Employment Exchange,
Chennai - 32.

3.The Managing Director,
Metropolitan Transport
Corporation (Chennai) Ltd.,
Pallavan Salai, Chennai - 2.

+1cc to Mr.V.Ajoy Khose, Advocate SR.No.15372

+1cc to Mr.K.Moorthy, Advocate SR.No.16379

+1cc to Government Pleader SR.No.16259

W.P.No.18604 of 2007

BP (CO)
GMY (24/03/2022)