



W.P.No.16522 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.11.2022

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.16522 of 2018

P.Bhavani

... Petitioner

-Vs-

The Chief Educational Officer,
Vellore District- 632 009.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, to direct the respondent to appoint the petitioner to the post of Lab Assistant.

For Petitioner : M/s.Selvi George

For Respondent : Mrs.S.Mythreyechandru
Special Government Pleader



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ORDER

WEB COPY The relief sought for in the present writ petition is to direct the respondent to appoint the writ petitioner to the post of Lab Assistant.

2. The petitioner participated in the process of Certificate Verification and attended an Oral Interview. However, the petitioner was not selected. The fact remains that the selected candidates were called for Counselling and all of them were appointed. Since the petitioner was not selected, he was not called for the Counselling which was conducted for the selected candidates.

3. The claim of the petitioner is that he is the senior most person in age as his date of birth is 13.03.1976, and he was appointed to the said post but the candidates who are junior to him as per the date of birth were appointed.

4. The very claim set out in the writ petition is misconceived and cannot be considered. Age alone is not the criteria for the process of selection to the post of Lab Assistant. Admittedly, the petitioner participated in the process of selection and was not selected. Even at the



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time of filing of the writ petition, the petitioner was aged about 42 years

and now he would be around 46 years old.

5. The unsuccessful candidate cannot file a writ petition and seek appointment to the post of Lab Assistant, merely on the ground that he is senior to other candidates in age and therefore, he must be appointed. Such a relief is untenable and accordingly, this writ petition stands **dismissed**. There shall be no order as to costs.

07.11.2022

Index : Yes
Speaking order
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To

The Chief Educational Officer,
Vellore District- 632 009.

S.M.SUBRAMANIAM.J.,



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