



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.28236 of 2021
and WMP.No.29832 of 2021

R.Veeralingam

..Petitioner

Vs.

1.Tamil Nadu Newsprint and Papers Limited
represented by its Deputy Managing Director,
No.67, Mount Road, Guindy,
Chennai-600032.

2.The Chief General Manager (HR)
Tamil Nadu Newsprint and Papers Limited
Kagithapuram -639136,
Karur District.

3.The Executive Director (Operations)
Tamil Nadu Newsprint and Papers Limited
Kagithapuram -639136,
Karur District.

.. Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the impugned cancellation of Provisional Selection HR/ 03/ 341 dated 13.11.2021 issued by the 3rd respondent and quash the same and consequently direct the 2nd respondent to appoint the petitioner in the post of Assistant Plant Engineer as per the Provisional Selection Letter No. HR/ 03/ 341 dated 3.2.2021 within the time fixed by this Court.

For Petitioner : Mr.S.V.D. Rajendra Prasad

For Respondents: Mr.S.Ravindran, Senior Counsel
For Mr.S. Basheer Ahamed

ORDER

The case of the petitioner is that based on the advertisement dated 15.06.2018 by the 1st respondent in 'The Hindu Newspaper', the petitioner has applied for the post of Assistant Plant Engineer (Mechanical) and appeared for the written examination. Upon selection in the written examination,



the petitioner was called for by the 2nd respondent for interview. Thereafter by letter dated 13.11.2021, the petitioner was provisionally selected for the said post. The petitioner had submitted all the documents including the experience certificate obtained from M/s.Cethar Ltd and Thermax Engineering Constructions Co. Ltd. Subsequently, the petitioner's provisional selection was cancelled by order dated 13.11.2021 by stating reason that the genuineness of the petitioner's experience certificate produced from the period from April 2011 to August 2014 by M/s.Cethar Limited, Trichy could not be verified. Challenging the said order the respondent, the present writ petition is filed.

2. According to the learned counsel for the petitioner, the respondents without giving any opportunity to the petitioner to prove the genuineness of the certificate, has cancelled the selection of the petitioner. If any opportunity is granted to the petitioner, the petitioner will furnish all the particulars to the respondent to satisfy the authority concerned. The learned counsel for the petitioner strongly contended that the experience certificate issued by M/s. Cethar Limited, Trichy is genuine, therefore, seeks sufficient time to produce the documents in support of the genuineness of the experience certificate.

3. The learned senior counsel appearing for the respondent would submit that the petitioner has been provisionally selected to the post of Assistant Plant Engineer (Mechanical) and not appointed in the said post, therefore, the petitioner may not have any legal right to claim his appointment. The learned senior counsel has further submitted that if the documents submitted by the petitioner satisfies the terms and conditions of the advertisement/notification, the candidature will be automatically considered for the said post, otherwise the respondents have a right to reject or cancel the said selection.

4. Heard both sides and perused the materials available on record.

5. The learned counsel for the petitioner has strongly contended that the petitioner is fully eligible to the post of Assistant Plant Engineer (Mechanical) and possess sufficient experience as required by the respondents. Hence, seeks time to produce all the relevant documents to substantiate the genuineness of the experience certificate issued by M/s. Cethar Limited, Trichy.

6. Considering the facts and circumstances of the case and the aforesaid submissions made by the learned counsel for the petitioner, this Court is of the view that it would be



appropriate to grant opportunity to the petitioner to submit all the relevant documents before the authority concerned. Accordingly, the following order is passed;

i. Impugned order dated 13.11.2021 issued by the 3rd respondent cancelling the Provisional Selection of the petitioner is quashed.

ii. The writ petitioner is directed to submit all the required documents before the respondents to substantiate the genuineness of the experience certificate issued by M/s.Cethar Limited, Trichy, within a period of three weeks from the date of receipt of a copy of this order.

iii. On receipt of such particulars, the respondent is directed to take decision and pass appropriate orders and communicate the same to the petitioner, within a period four weeks thereafter.

7. With above directions, the writ petition is allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Deputy Managing Director,
Tamil Nadu Newsprint and Papers Limited
No.67, Mount Road, Guindy, Chennai-600032.

2. The Chief General Manager (HR)
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Kagithapuram -639136,
Karur District.

3. The Executive Director (Operations)
Tamil Nadu Newsprint and Papers Limited
Kagithapuram -639136, Karur District.

+1cc to Mr.S.Bazeer Ahamed, Advocate, S.R.No.25809

+1cc to Mr.S.V.D.Rajendra Prasad, Advocate, S.R.No.25897

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SR-II(CO)
SB(19/04/2022)