



W.P.No.2435 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2023

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THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.2435 of 2020
and
W.M.P.No.2828 of 2020

P.Saravanan
3/33, Ambedkar Nagar
Sathyamangalam Post
Poigai Village, Vellore District 632 114 ... Petitioner

/Vs/

1.Deputy Director
Employment Office
Guindy, Chennai 32

2.The Assistant Director
Vellore Employment
Abdulapuram, Vellore 10

3.The Commissioner
Employment and Training
Divisional Office
Guindy, Chennai 32 ... Respondents

Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for records on the file of the 1st Respondent in proceedings in A1/3308/2019 dated 31.12.2019 and quash the same.



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For Petitioner : Mr.Vikram Krishnamurthy
for Mr.V.Raghavachari

For Respondents : Mr.G.Nanmaran
Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Certiorari to call for records on the file of the 1st Respondent in proceedings in A1/3308/2019 dated 31.12.2019 and quash the same.

2.The Petitioner is aggrieved due to the order of rejection dated 03.12.2019, through which his application was rejected on the ground that he has crossed the age limit fixed for the post.

3.As per the notification of the Tamil Nadu Rural Development, Thiruvarur, Applications have been called for, for the post of night Watchman and eligibility criteria for the said post has been fixed, among various factors, the age limit was fixed as 35 years for SC/ST and destitute widow category. However, SC/ST has been given with five years relaxation. The Petitioner has also applied for the said post. But his



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application has been rejected on the ground that he does not come within the prescribed age limit.

4.Heard the learned counsel for the Petitioner and the learned Special Government Pleader for the Respondent.

5.The claim of the Petitioner is that he born on 03.06.1979. Though the notification is of the year 2019, the date of notification is not known, if the notification fall within 02.06.2019, it is true that the Petitioner might have got an opportunity to get extended as he would complete 40 years age only on 03.06.2019. The Petitioner has not stated anywhere anything about the exact date of notification.

6.The learned Government Advocate further submitted that as per G.O.Ms.No.21, Department of Labour and Employment, dated 02.02.2000, the age relaxation is applicable only to those who have completed SSLC, but in the case of the Petitioner he has completed HSC only. In the application submitted by the Petitioner to the third Respondent it reflects



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that the Petitioner failed in SSLC but passed in HSC.

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7.The Petitioner, who has failed SSLC, could not have passed HSC.

However, it might be the claim of the Petitioner that he had completed HSC. Since there are confusing materials available on fact, I feel it is appropriate to direct the Petitioner to give a representation to the Respondents and on receipt of the same, the second Respondent shall consider the same with the available materials and pass an order about the age limit of the Petitioner within the period of four weeks from the date of receipt of a copy of this order.

8.With the above direction, this Writ Petition is disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

09.10.2023

Index : Yes/No
Neutral citation : Yes/No
Speaking Order/Non-Speaking Order

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To

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R.N.MANJULA, J.

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