



WEB COPY



W.P.No.6589 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.6589 of 2022

L.Parandhaman

... Petitioner

Vs.

1.Managing Director,
Metropolitan Transport Corporation (Chennai)
Chennai – 600 002.

2.Chief Vigilance Officer (CVO),
Metropolitan Transport Corporation (Chennai)
Chennai – 600 002.

3.Chief Deputy Manager,
Metropolitan Transport Corporation (Chennai)
Chennai – 600 002.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation, dated 17.11.2020, and conduct appropriate enquiry about the malpractice of their officers, to remove the imposters who got appointment by playing fraud, and to appoint the petitioner as Junior Engineer (Trainee), Metropolitan Transport Corporation (Chennai).

For Petitioner : Mr.H.Mohamed Ghouse

For Respondents : Mr.R.Balaji



W.P.No.6589 of 2022

ORDER

This writ petition has been filed to direct the respondents to consider the petitioner's representation, dated 17.11.2020, and conduct appropriate enquiry about the malpractice of their officers, to remove the impostors who got appointment by playing fraud, and to appoint the petitioner as Junior Engineer (Trainee), Metropolitan Transport Corporation (Chennai).

2.It is the case of the petitioner that the petitioner is fully qualified for selection to the post of Junior Engineer in the respondent Corporation and therefore, he applied for the said post and also attended the interview on 20.12.2014. However, it is the grievance of the petitioner that, by way of job racketing, other applicants were given appointment order and the petitioner was not selected. The petitioner came to know on enquiry conducted by the Central Crime Branch, Job Racket Wing, Chennai, that malpractice had taken place in the appointment process and the petitioner has scored 81% marks in the selection process. It is the contention of the petitioner that, though he has scored 81% marks and is fully qualified for selection, due to fraudulent practices, the petitioner was not given appointment, whereas, other applicants have been appointed.

Hence, the petitioner seeks initiation of action against the impostors and



W.P.No.6589 of 2022

also appointment as Junior Engineer. In this regard, the petitioner has also submitted his representation on 17.11.2020. Since the same was not considered, the present writ petition has been filed.

3.Heard the learned counsel for the petitioner and Mr.R.Balaji, learned counsel appearing for the respondents.

4.At the outset, this Court is of the view that such mere bald allegations of fraud or *mala fides* cannot be a ground to appoint the petitioner to the post of Junior Engineer. Mere allegations alone are not sufficient to infer or presume the alleged fraud or *mala fides* in the process of selection and it must be established with sufficient materials. The petitioner, just by making certain allegations against the selection process, cannot seek appointment. Therefore, I do not find any merit in this writ petition.

5.Accordingly, this writ petition is dismissed. No costs.

04.09.2023

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N. SATHISH KUMAR, J.



W.P.No.6589 of 2022

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Internet : Yes
Index : Yes / No
Neutral citation : Yes / No
Speaking order / Nonspeaking order

To

- 1.The Managing Director,
Metropolitan Transport Corporation (Chennai)
Chennai – 600 002.
- 2.The Chief Vigilance Officer (CVO),
Metropolitan Transport Corporation (Chennai)
Chennai – 600 002.
- 3.The Chief Deputy Manager,
Metropolitan Transport Corporation (Chennai)
Chennai – 600 002.

W.P.No.6589 of 2022

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