



W.P.No.3324 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.10.2023

CORAM

THE HONOURABLE MR. JUSTICE Dr.D.NAGARJUN

W.P.No.3324 of 2015

and

M.P.No.1 of 2015

P.Jegadheswaran

... Petitioner

Vs.

1. The Principal Secretary,
Transport Department,
Government of Tamilnadu,
Fort St.George, Chennai 600 009.

2. The Managing Director,
Tamilnadu State Transport Corporation Salem Limited,
Salem.

3. The Assistant Manager (Labour),
Tamil Nadu State Transport Corporation Salem Limited,
Salem Zone, Salem 636 007.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the 1st respondent to issue suitable directions to the respondents 2 and 3 to recruit the candidates for the post of Junior Technical Man (Junior Technician) based on the notification issued by the 2nd respondent in Notification No.03/SLM/2014 as published in Daily Thanthi News Paper dated 02.11.2014.



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For Petitioner : No Appearance

For Respondents : M/s.Jayanthi (for R1)
M/s.R.Babu (for R2 & R3)

ORDER

This writ petition is filed in the nature of Mandamus, seeking direction to the first respondents 2 and 3 to recruit the candidates for the post of Junior Technical Man (Junior Technician) basing on the notification issued by the 2nd respondent vide Notification No.03/SLM/2014 published in Daily Thanthi News Paper dated 02.11.2014.

2. The facts in brief as per the affidavit are that the first respondent has completed the recruitment of Technical and Non-Technical posts solely basing on the interview, which was declared as illegal by the Judgement of this Court vide W.P.No.20290 of 2012 dated 27.08.2014 and W.P.No.34189 of 2014 dated 19.12.2014. While disposing of the said writ petitions, certain guidelines were issued in respect of filling up of the vacancies of Technical and Non-Technical posts. Subsequently, the



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notification has been issued through Daily Thanthi News Paper calling for the applications for the post of Junior Technician. The proceedings dated 26.11.2014 were issued, asking the petitioner to attend for the interview to be conducted on 05.12.2014. Accordingly, the petitioner appeared before the third respondent for the interview on 05.12.2014 at 9.30 am. In the interview, the petitioner was not asked any question but was asked to meet some other persons for considering his appointment.

3. The petitioner applied for the post of Mechanic cum Junior Technician with all necessary documents as per the notification wherein the 3rd respondent sent call letter asking the petitioner to appear for interview on 09.12.2014 and informed that on that day, practical test will also be conducted. The 3rd respondent has informed the petitioner that the candidates who had already appeared for the interview for the post of Junior Technician on the basis of the employment exchange sponsorship, need not appear again to the interview for the post of Mechanic cum Junior Technician scheduled to be held on 18.12.2014 as earlier interview will be taken into consideration. Accordingly, the petitioner did not appear for the interview held on 18.12.2014 for the post of Mechanic cum Junior Technician.



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4. It is further mentioned in the affidavit that respondents 2 and 3 did not follow the procedures for recruitment. The petitioner filed a representation to the 1st respondent on 28.01.2015, to direct the respondents 2 and 3 to recruit the candidates as per the directions issued by this Court in earlier writ petitions. However, 1st respondent has still not considered the petitioner's representation.

5. There is no representation on behalf of the petitioner before this court in the present writ petition. Learned counsel for the respondents is present. The Counter affidavit filed on behalf of the 2nd respondent go to show that the petitioner has appeared the interview, on 05.12.2014 and 100 more candidates along with him appeared for the interview. It is also mentioned that the petitioner had also applied for the post of Mechanic cum Junior Technician and the petitioner was asked to appear in the interview for the post of Mechanic cum Junior Technician on 18.12.2018 but he has absented himself. Further, it is mentioned that totally 11 candidates belonged to MBC category, sponsored by the District Employment Exchange, Namakka, have participated in the interview apart from the petitioner. Since the petitioner did not appear in the interview on



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18.04.2012 for the post of Mechanic cum Junior Technician, he could not be selected.

6. Considering the submissions made on behalf of both sides and also the fact that the petitioner has challenged the recruitment process of the year 2014 and that more than 9 years have already lapsed, and since the petitioner had not even appeared in the interview, no further directions can be given in this writ petition.

7. Accordingly, with the above observations, the writ petitions stands **dismissed**. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Index : Yes
Speaking Order
Neutral Citation : Yes
(sha)

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Dr.D.NAGARJUN. J.,

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