



WEB COPY



W.P.No.6627 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE V. LAKSHMINARAYANAN

Writ Petition No.6627 of 2013

K.Venkataraman

.... Petitioner

-Vs-

The Chairman-cum-Managing Director
Tamilnadu Magnesite Limited
(A Government of Tamil Nadu Undertaking)
No.5/53, Omalur Main Road
Salem-636 302.

.... Respondent

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records of the respondent vide Ref.E1/WP 3803/2008 dated 06.02.2012 and quash the same and consequently direct the respondent to effect notional promotion to the petitioner for the post of supervisor on the administrative side of the respondent – management. (Prayer amended vide order dated 12.10.2022 made in WMP 22774/2021 in WP No.6627/2013 by MSRJ)

For Petitioner : Ms.S.Girija
For Respondents : Mr.M.R.Raghavan

ORDER

The petitioner joined the services of the respondent as a Welder. There are two kinds of services in the rolls of the respondent; one is the administrative service and the other is the technical service. On completion of the required



W.P.No.6627 of 2013

service in the post of Welder, the petitioner was given the benefits of Selection Grade as well as Special Grade. However, he wanted to be appointed to the post of Junior Assistant, which he considered equivalent to the post of Special Grade Welder, on the administrative side. The said claim was rejected. Challenging the same, the present writ petition was filed.

2. Mr.M.R.Raghavan, learned counsel for the respondent has produced the Service Rules. As per the Rules, for the post of Junior Assistant or Assistant, the minimum qualification necessary is that of being a graduate. The petitioner had only completed his 10th Standard (SSLC) together with ITI Certificate. Therefore, he was not qualified to even be appointed as Junior Assistant or Junior Assistant-cum-Typist.

3. When a person is not qualified to the post, the question of appointing him to the said post does not arise. Therefore, he could not be accommodated. This is the reason given in the impugned order. I do not find any error or illegality in the same. Therefore, the writ petition is dismissed. No costs.

21.06.2023

Index : Yes/No
Neutral Citation : Yes/No
KST



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V. LAKSHMINARAYANAN, J.

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