



WEB COPY



W.P.No.15385 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2023

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.15385 of 2021
and
W.M.P.no.16276 of 2021

A.Marimuthu
S/o.Arumugam
No.7/17, Perumal Koil Main Road,
Mannurpet
Chennai 600 050.

... Petitioner

/Vs/

1.The Secretary to Government
Department for Welfare of the Differently abled
Secretariat, Fort St. George
Chennai 600009

2.The Commissioner
Commissionerate of Employment and Training
Alandur Rod
Thiru-Vi-Ka Industrial Estate
Guindy, Chennai 600 032.

3.Director
Special Employment Office for Differently abled
Integrated Employment office building
Women ITI Complex
Guindy, Chennai 600 032

... Respondents



W.P.No.15385 of 2021

Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the Respondents to provide employment to the Petitioner on the basis of his suitability within a time frame fixed by this Court.

For Petitioner : Mr.A.Venkatakrishnan
For Respondents : Mr.G.Nanmaran
Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus directing the Respondents to provide employment to the Petitioner on the basis of his suitability within a time frame fixed by this Court.

2.The Petitioner is a visually challenged person, who completed SSLC in the year 1991 and HSC in the year 1993. He has also completed diploma in Telephone Operator Course on 15.03.1997. He had registered himself in the Special Employment Agency for differently abled, for the qualification of SSLC on 26.06.1991 and for the qualification of HSC on 23.06.1993.



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3.The Petitioner's grievance is that he has not been called for any employment by the third Respondent so far and it is submitted by the learned counsel for the Petitioner that despite the fact that people, who had registered till 02.12.1997 have been considered for employment, the Petitioner has not been considered so far.

4.The learned Special Government Pleader submitted that the employment can be considered as and when the vacancy arises and hence the Petitioner cannot seek a direction to provide employment in any fixed time frame.

5.Heard the learned counsel appearing on either sides and perused the available records.

6.The submission of the learned Special Government Pleader is understandable that no post can be given to any individual, unless there are vacancies, But the specific contention of the Petitioner is that despite the persons, who had registered subsequent to the Petitioner's registration were



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called upon and given employment, he has not been considered so far.

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7.The Petitioner seems to have been completed diploma in Telephone Operator course in the year 1997 and according to the learned Special Government Pleader, vacancies in the post of telephone operator has not arisen and hence the Petitioner's case cannot be considered. But it appears that the Petitioner is open to any post for which he is eligible. In that case, the third Respondent need not wait until vacancies in the post of telephone operator arise. The third Respondent can sponsor the name of the Petitioner for any posts for which the Petitioner is eligible and for which there are vacancies.

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

04.10.2023

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

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R.N.MANJULA, J.

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