



WEB COPY



W.P.No.20479 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.07.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.20479 of 2014 and
MP.No.1 of 2014

R.Rajaram

... Petitioner

Vs.

1.Tamilnadu State Transport Corporation
(Coimbatore) Ltd.,
Rep. by its Managing Director,
37, Mettupalayam Road,
Coimbatore - 43

2.The General Manager,
Tamilnadu State Transport Corporation
(Coimbatore) Ltd.,
37, Mettupalayam Road,
Coimbatore - 43

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue Writ of Declaration declaring that action of the respondents in not selecting and appointing the petitioner as Assistant Engineer (Mechanical/Automobile) based on the interview which the petitioner have attended on 31.08.2013, on the ground that he did not complete his Graduate Apprenticeship Training in any of the State Transport Corporations, including their Corporation as illegal and consequently direct the respondents to consider and appoint the



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petitioner as Assistant Engineer(Mechanical / Automobile), based on the interview which the petitioner have attended on 31.08.2013, without reference to and without insisting for Graduate Apprenticeship Training in Mechanical / Automobile Engineering in State Transport Corporations, on par with and from the date on which the 14 candidates were selected and appointed as Assistant Engineer (Mechanical / Automobile), with all consequential benefits, award costs.

For Petitioner : Mr.V.Ajoy Khose

For Respondents : Mr.A.Sundaravadanan,
Standing Counsel

ORDER

This writ petition has been filed challenging the rejection of the petitioner's candidature to the post of Assistant Engineer (Mechanical/Automobile).

2. The petitioner had passed Degree of Bachelor of Engineering (Mechanical Engineering) with 1st class. He had joined as Graduate Apprentice in Heavy Vehicles Factories, Avadi, Chennai under the Apprentices (Amendment) Act, 1973 for one year. He has successfully completed his training on 03.08.2009. He was also issued



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Certificate of Training on 07.08.2009. He also registered his name with Professional and Executive Employment Exchange after completion of his degree i.e. Bachelor of Engineering. While being so, the first respondent requested the Professional and Executive Employment Exchange Office, Madurai to sponsor a list of eligible candidates for appointment to the post of Assistant Engineer (Mechanical / Automobile) in their Corporation. The petitioner's name was also sponsored by the Employment Exchange and on receipt of the same, the second respondent issued call letter dated 17.08.2013 for interview to be held on 31.08.2013. Accordingly, the petitioner attended interview on 31.08.2013. However, the petitioner was not selected and as such now, he challenged the action of non selecting the petitioner to the post of Assistant Engineer.

3. The learned counsel for the petitioner would submit that the Rule mentioned in the call letter itself is violation of discrimination as contemplated under Articles 14 and 16 of Constitution of India. The petitioner duly joined as a Graduate Apprentice in Heavy Vehicles Factories, Avadi. However, it was not considered by the respondents.



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4. Heard the learned counsel appearing on either side.

5. On perusal of records, the petitioner attended interview held on 31.08.2013. After having been attended interview and he was not selected to the post of Assistant Engineer (Mechanical), thereafter he cannot challenge the rules mentioned in the call letter. Further, it is specifically mentioned in the interview letter that along with the Degree in Bachelor of Engineering, preference would be given to the candidates who have passed Graduate Apprenticeship Examination of the Indian Institute of Road Transport(IIRT). Admittedly, the petitioner has not completed any Graduate Apprenticeship Examination of IIRT. Further, on perusal of call letter, revealed that in respect of the eligibility mentioned as (i) shall pass Mechanical Engineering in 1st class, (ii) for SC and ST candidates, pass in Engineering Graduation in second class, (iii) age limit for SC/ST 40 years, BC / MBC 35 years and OC 30 years and (iv) the candidate should have completed Apprenticeship Training in one of the Transport Corporations of Tamilnadu. Therefore, the petitioner did not complete any apprenticeship training from any



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Transport Corporation of Tamilnadu. Therefore, he was rightly rejected and this writ petition is devoid of merits.

6. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

12.07.2023

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

- 1.Managing Director,
Tamilnadu State Transport Corporation
(Coimbatore) Ltd.,
37, Mettupalayam Road,
Coimbatore - 43
- 2.The General Manager,
Tamilnadu State Transport Corporation
(Coimbatore) Ltd.,
37, Mettupalayam Road,
Coimbatore - 43
3. The Public Prosecutor,
High Court, Madras.

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