



WEB COPY



W.P.No.19872 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2023

CORAM

MR.JUSTICE N.SESHASAYEE

W.P.No.19872 of 2023
and W.M.P.No.19215 of 2023

A.Thavasu

... Petitioner

Vs.

1.State of Tamil Nadu
Rep. by its Secretary to Government
Employment and Training Department
Fort St. George
Chennai 600 009

2.Secretary to Government
Welfare of Differently Abled Department
Fort St. George
Chennai 600 009

3.Principal Investigator
Government Industrial Training Centre
For the Visually Impaired
Ponamalle, Chennai 600 066

... Respondents

PRAYER: The writ petition filed under Article 226 of the Constitution of India, for issuance of a writ of Mandamus, to direct 3rd respondent to issue hall ticket to the petitioner and re-conduct the exam for the I year Book



W.P.No.19872 of 2023

Binder Course offered by the 3rd respondent for the academic year 2022-23 originally conducted on 27.06.2023 and 28.06.2023 in so far as the petitioner is concerned so as to enable the petitioner to participate in the exam for the 1 year Book Binder Course offered by the 3rd respondent for the academic year 2022-23.

For Petitioner : Mr.L.P.Maurya

For Respondents : Mr.C.Kathiravan
Special Government Pleader for R1 to R3

ORDER

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner herein is visually challenged and he joined Book Binder Training Course in the academic year 2022-2023, which was a one year course. He completed the course and was to take a final examination on 27.06.2023 and 28.06.2023. He was not issued an Hall ticket and when he went to the examination hall, he was barred from appearing on the ground that his age is barred for appearing the examination. He, therefore has



W.P.No.19872 of 2023

moved this court claiming that he is well within the age as prescribed and hence required that an exam be conducted for his benefit separately.

3.Learned counsel for the petitioner submits that it is not in dispute that the petitioner is above 40 years but claims that there is no statutory backing for age is prescribed for that.

4.Mr.C.Kathiravan, the learned Special Government Pleader takes notice for all the respondents.

5.Heard both sides.

6.It appears that the petitioner has been admitted for the course and if he is eligible to do the course, necessarily he is eligible to sit for the examination. However, if he has been wrongly admitted for the course despite there is an age bar then it is a different issue. At the end of the day, the petitioner has been denied an opportunity to write the exam but without giving him an opportunity to explain the reasons for not letting him to sit for the exam.



W.P.No.19872 of 2023

7.The 3rd respondent is now required to ascertain if there is any statutory backing for holding that the petitioner is age barred from taking the examination. The 3rd respondent is required to file his report to this court within a period of eight (8) weeks.

8.The writ petition stands accordingly disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is closed.

Post the matter on 31.08.2023 for the report of the 3rd respondent.

06.07.2023

kas

Index : Yes / No

Neutral citation : yes/no

To

The Secretary to Government
1.State of Tamil Nadu
Employment and Training Department
Fort St. George
Chennai 600 009



W.P.No.19872 of 2023

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W.P.No.19872 of 2023

N.SESHASAYEE, J.

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