



W.P(MD)No.5392 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5392 of 2023

K.Karthik Kumar

... Petitioner

Vs.

1.The Director of Tamil Nadu Employment and Training,
Alandur Road,
Thiru.Vi.Ka.Industries Estate,
Guindy, Chennai-600 032.

2.The Zonal Deputy Director (Employment),
Government I.T.I.Campus,
K.Pudur, Madurai-652 007.

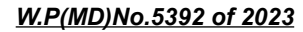
3.The District Employment Officer,
District Employment and Career Guidance Centre,
Dindigul.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 18.02.2023 for the employment based on G.O.Ms.No.122, Human Resource (K2) Department, dated 02.11.2021 and further directing the respondents to maintain the records with priority level in the employment exchange.

For Petitioner : Mr.P.Manikandan

For Respondents : Mr.K.Balasubramani
Special Government Pleader



Heard the learned counsel on either side.

3. Paragraph Nos.8 & 9 of the counter affidavit filed by the respondents are as follows:-

9. The petitioner has made representation to the district employment and career guidance centre, Dindigul on 03.01.2023 requesting to sponsor him to the vacancies notified to this office in inter caste marriage priority category. A



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detailed reply was given to the petitioner by the third respondent on 06.01.2023 stating that the senior most registered candidates are sponsored by the employment office based on age, educational qualification and communal rotation as mentioned by the employer. It was further stated that the seniority of the registered candidates is maintained based on the educational qualification and not maintained based on the priority.”

4. The definite stand of the respondents is that it is for the employer to consider the case of the petitioner under priority category depending on the terms of the recruitment notification. As far as the employment exchange is concerned, they will sponsor candidates based on the seniority maintained by them. Merely because the petitioner comes under the priority category, he cannot steal a march over others by overlooking seniority. I sustain the stand of the respondents. My attention has not been drawn to any provision or G.O which will confer seniority for the candidates coming under the priority category. I do not find any ground to grant relief as prayed for.

5. The Writ Petition is dismissed. No costs.

30.03.2023

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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To

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