



W.P.(MD)No.2166 of 2016

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.2166 of 2016

A.John Peter

... Petitioner

VS.

1.The State of Tamilnadu,
Represented by its Principle Secretary to Government,
Labour and Employment (P2) Department,
Fort St.George,
Chennai.

2.The Director,
Directorate of Employment and Training (Training Wing),
Guindy,
Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Certiorarified Mandamus*, calling for the records pertaining to the impugned notification issued by the 2nd respondent dated 12.01.2016 and quash the same as illegal and consequent thereon direct the 2nd respondent to accept the petitioner's application for the post of Junior Training Officer in Government Industrial Training Institutes in Tamilnadu for the year 2014-15 and



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to give appointment and accommodate him at suitable place if the petitioner is found otherwise eligible.

For Petitioner : No appearance

For Respondents : Mr.R.Suresh Kumar
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking to quash the impugned notification, dated 12.01.2016 and consequently direct the 2nd respondent to appoint the petitioner for the post of Junior Training Officer for the year 2014-2015.

2. The contention of the petitioner is since he is having higher qualification and hence the petitioner should be considered for post.

3. On perusal of the petitioner's affidavit, it is seen that the petitioner has completed National Vocational Course Training and certificate was also issued by the National Council for Vocational Training and also completed Craft Instructor course at Central Training Institute for Instructors. Therefore, the



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petitioner is claiming that since he is possessing higher qualification, the petitioner is entitled for age relaxation.

4. The learned Additional Government Pleader appearing for the respondents submitted that the petitioner is over aged at the time of application. In the notification, it has been specifically stated that for Backward Class category the maximum age limit is 37 years and for Most Backward Class and Denotified category the maximum age limit is 37 years.

5. The writ petitioner has filed this writ petition in the year 2016 and now, the petitioner would be 56 years. At this juncture, the claim of the petitioner cannot be considered.

6. In view of the above reasons, this Court is of the considered opinion that the petitioner may be entitled for age relaxation, considering the higher qualification. However, in the present case, the petitioner has done five Training/Vocational course. But it has to be considered whether Training/Vocational course can be considered as higher qualification. Until this issue is



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resolved this Court cannot direct the respondent to consider for age relaxation.

As stated supra as on date the petitioner is 56 years. Therefore, this Court is not inclined to entertain this writ petition considering the age of the petitioner as on date.

7. Accordingly, this Writ Petition stands dismissed, leaving the question open. No Costs.

Index : Yes / No
Internet : Yes
ksa

10.04.2023

To

- 1.The Principle Secretary to Government,
State of Tamilnadu,
Labour and Employment (P2) Department,
Fort St.George,
Chennai.
- 2.The Director,
Directorate of Employment and Training (Training Wing),
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S.SRIMATHY, J

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Order made in
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