



W.P.No.23092 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.23092 of 2013

S.Arulselvan

...Petitioner

-Vs-

1.The Secretary,
Tamil Nadu State Transport Corporation,
Secretariat, George Fort,
Chennai – 600 009.

2.The Director,
Tamil Nadu Industrial and Training Employment Exchange,
Santhome,
Chennai – 600 004.

3.The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Kumbakonam – 1.

4.The Managing Director,
Tamil Nadu State Transport Corporation,
Kumbakonam Division,
Thiruchy Branch, Malaguparai,
Thiruchy – 1.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing all respondents to disposed the petitioner representation on



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10.05.2013 and pass such further orders.

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For Petitioner : Mr.M.Murugesan
For R1 & R2 : Mr.T.M.Rajangam
Government Advocate
For R3 & R4 : M/s.M.Rohini
for Mr.C.Senapathi

ORDER

This writ petition is filed for issuance of a Writ of Mandamus, directing all respondents to dispose of the petitioner's representation dated 10.05.2013.

2. The case of the petitioner is that he studied B.E (Mechanical) at Madurai Kamarajar University and completed one year apprenticeship at Mahakavi Bharathiyar Transport Corporation Limited, Udhagamandalam, the Nilgiri District. Thereafter, he completed M.B.A in the Indhira Gandhi National Open University and worked in a private company having full experience. The petitioner registered with Tamil Nadu Industrial and Training Employment Exchange Santhom Chennai-4 on 16.11.1993 and he belongs to the Scheduled Caste community and was selected for training (apprenticeship) at Ooty. The petitioner regularly attended interviews on



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31.08.2009, 01.09.2009 conducted by the Tamil Nadu Transport Corporation, Kumbakonam, Madurai, and Salem for the post of Assistant Engineer (Mechanical). It is to be noted that his junior got the same post, but the Transport Corporation did not select the petitioner for the said post. The petitioner submits that the Teacher's Recruitment Board as well as the Tamil Nadu Electricity Board follow seniority in their recruitment. Though the petitioner belongs to the Scheduled Caste community, the Transport Corporation has not followed the reservation. Thereafter, the petitioner sent a letter on 10.05.2013 to all the respondents to request seniority and selected the petitioner for the post of Assistant Engineer (Mechanical), but the respondents did not consider his request.

3. Learned counsel for the petitioner submitted that the representation was submitted to the 2nd respondent on 10.05.2013 through registered post with acknowledgement due card and he also filed the acknowledgement card in the typed set of papers as proof.

4. Learned counsel appearing for respondents 3 and 4 on oral instructions submitted that there was no such representation submitted by the petitioner till date.



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5. Learned counsel for the petitioner is directed to give a copy of the representation dated 10.05.2013 to the learned Government Advocate appearing for respondents 1 and 2.

6. In view of the above factual matrix of the case, the 2nd respondent is directed to consider the representation of the petitioner dated 10.05.2013 on merits in accordance with law and pass appropriate orders within a period of six weeks from the date of receipt of a copy of the order.

In the result, the **writ petition stands allowed with the above direction.** No costs.

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cda
Index : Yes/No
Speaking/Non Speaking order



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- To
- 1.The Additional Chief Secretary/
Secretary to Government,
Government of Tamil Nadu,
Environment and Forests Department,
Secretariat, Chennai – 600 009.
 - 2.The Principal Chief Conservator of Forests
& Head of Forest Force,
Chennai – 600 015.

J.SATHYA NARAYANA PRASAD, J.

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