



WEB COPY



W.P.No.4287 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2024

CORAM

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.4287 of 2015 and
M.P.Nos.1 and 2 of 2015

A.Suresh

... Petitioner

Vs

1.The District Employment Officer,
O/o. the District Employment Office,
Chennai.

2.The Managing Director / Appellate Authority,
Metropolitan Transport Corporation,
Pallavan House, Anna Salai,
Chennai 600 002.

3.The Senior Deputy Manager, (Ma.Va.Me),
Metropolitan Transport Corporation,
Pallavan House, Anna Salai,
Chennai 600 002.

4.The State of Tamil Nadu Rep. by
Secretary to Government,
Transport Department,
Fort St.George, Secretariat,
Chennai 600 009.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, call for the records relevant to the order in Letter No.548/PaPi(Pori)2/ MaPoKa/2015



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dated 11.02.2015 passed by the third respondent and quash the same as illegal, improper and natural justice and thereby direct the fourth respondent to pass suitable orders in respect of relaxing the age condition to the petitioner for the appointment of Junior Engineer in the second respondent Metropolitan Transport Corporation and thereby appoint the petitioner as Junior Engineer in the second respondent Metropolitan Transport Corporation.

For Petitioner : M/s.S.Sujatha for
M/S.M.V.Muralidaran

For Respondents : Mr.Stalin Abimanyu,
Additional Government Pleader for R1 and R4.
Mr.C.Gauthamaraj,
Standing Counsel for R2 and R3.

ORDER

The writ petition has been filed challenging the order of the third respondent dated 11.02.2015 and for further direction to the fourth respondent to pass suitable orders in respect of the relaxation of the age condition applicable to the petitioner for appointment to the post of Junior Engineer in the second respondent Transport Corporation and thereby, appointing the petitioner to the said post.



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2. The case of the petitioner is that he had successfully completed a Diploma Course in Mechanical Engineer in the year April 1993 and subsequently undergone apprenticeship with the second respondent Transport Corporation for a period of one year from 20.02.1997 to 19.02.1998. A certificate of proficiency was issued to him on 06.04.1998 after completion of training. Thereafter, the petitioner had got himself registered with the first respondent Employment Office on 25.09.1998 and he has continued to renew his registration thereafter.

3. The second respondent Transport Corporation in the year March 2010 had issued an advertisement calling for recruitment to the post of Junior Engineer, for which names have been sponsored by the first respondent Employment Office. It is the grievance of the petitioner that despite many names being sponsored, his name was not among those submitted by the first respondent. In this regard, the petitioner had approached this Court in the earlier instances, pursuant to which the impugned order came to be passed by the third respondent, which is now being challenged by the petitioner in the present petition.

4. Heard both sides and perused the material available on record.



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Community the sponsoring age limit is 30 years only. The petitioner had crossed the age of 30 on 15.07.2000 itself. The first respondent had followed the right procedure prescribed by the employer. It considered the entire eligible candidate name having education, age, community and nomination ration (i.e., 1:5). The petitioners name was not sponsored because he had crossed the age limit prescribed by the employer.”

7. As on date, the petitioner is aged nearly 49 years and as per the counter affidavit separately filed by the second and third respondents, the common Service Rules have been scrupulously followed. Under these Service Rules, the maximum age limit is set at 30 years for OC candidates, 35 years for BC and MBC candidates and 40 years for SC and ST candidates.

8. In view of the above facts that the petitioner was aged 39 years as on 01.07.2009 and the names sponsored by the first respondent to the second respondent Corporation did not include the name of the petitioner due to his ineligibility and further, the petitioner is now aged 49 years, the prayer sought in the writ petition cannot be considered.



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9. In light of the deliberations, the writ petition stands dismissed.

No costs. Consequently, the connected miscellaneous petitions are closed.

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Speaking (or) Non Speaking Order

Index : Yes/ No

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G.ARUL MURUGAN, J.

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