



W.P.No.4523 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2024

CORAM :

THE HONOURABLE **DR. JUSTICE D.NAGARJUN**

W.P.No.4523 of 2015

C.Salai Sundaramurthy

... Petitioner

Vs.

1. The Director of Rural Development & Panchayat Raj
Panagal Building,
Saidapet, Chennai - 600 015.
2. The District Collector (PD Section)
Thiruvannamalai District.
3. The Commissioner,
Pollur Panchayat Union,
Tiruvannamalai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus, directing the respondents herein to consider the case of the petitioner for appointment to the post of Jeep Driver pursuant to the letter bearing Na.Ka.No.9826/2011/PA2 dated 10.11.2011 written by the second respondent to the first respondent.

For petitioner	:	Ms.T.Hemalatha
For R1 & R2	:	Mr.S.Ravi Kumar Special Government Pleader
For R3	:	Ms.C.Sangamithirai Special Government Pleader



W.P.No.4523 of 2015

ORDER

WEB COPY

This writ petition is filed for a direction to the respondents to consider the case of the petitioner for appointment to the post of Jeep Driver pursuant to the letter bearing Na.Ka.No.9826/2011/PA2 dated 10.11.2011 addressed by the second respondent to the first respondent.

2. It is submitted by the learned counsel for the petitioner that the petitioner has been working as an Office Assistant which is equivalent to the post of Driver. The petitioner has requested the respondent to appoint him as a Driver in the existing vacancy. The petitioner's juniors who were similarly placed were also appointed as Driver in the respondent Department. As per the letter in Na.Ka.No.9826/2011/Pa.A2 dated 10.11.2011, the District Collector, Tiruvannamalai District, is stated to have recommended to the respondents to consider the request of the petitioner and however, the request was not considered. the petitioner has approached this Court by way of this writ petition.

3. The learned Special Government Pleader representing the



W.P.No.4523 of 2015

respondents would submit that as on the date of filing his application for the post of Driver, the petitioner's probation in the post of Office Assistant was not completed and hence, he was not considered and the same is specifically mentioned in the counter affidavit.

4. The learned Special Government Pleader further submits that only after the completion of probation, basing on the petitioner's seniority and availability of vacancies in the cadre of Jeep Driver, the petitioner's request would be considered. Further, even if any direction is given, the said appointment will be considered basing on the conditions, viz., age, upper age limit, valid Driving License and other required qualifications, etc. and also based on the availability of the vacancies only.

5. Considering the submissions made by both sides and on perusal of record, it is clear that there is no post lying vacant in the respondent Department for considering the request of the petitioner to be appointed as a Jeep Driver.

DR. D.NAGARJUN,J.

6. In view of the above, this writ petition is disposed of directing the



W.P.No.4523 of 2015

respondent Department to consider the request of the petitioner, subject to upper age limit, valid Driving License and other required qualifications, basing on the availability of the vacancies, within a period of six weeks from the date of receipt of copy of this order. No costs.

04.01.2024

vca

To:

1. The Director of Rural Development & Panchayat Raj
Panagal Building,
Saidapet, Chennai - 600 015.
2. The District Collector (PD Section)
Thiruvannamalai District.
3. The Commissioner,
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W.P.No.4523 of 2015