



W.P.No.7347 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.08.2024

CORAM :

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.7347 of 2015

and

M.P.No.1 of 2015

P.Palayam

... Petitioner

Vs.

The Chairman,
Tamil Nadu Generation & Distribution Corporation,
Tamil Nadu Electricity Board,
Chennai – 600 002.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records in Letter No.108041/1286(A)/G.56/0562/2014-1, dated 01.04.2014 on the file of respondent herein and quash the same as illegal and direct the respondent to appoint the petitioner as Assessor in the respondent's board relaxing the upper age limits priority with others to secure the ends of justice.



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For Petitioner : Mr.R.Sankarasubbu

For Respondent : Mr.K.Rajkumar
Standing Counsel

ORDER

The name of the petitioner was sponsored by the employment exchange for being considered for appointment to the post of Assessor in the respondent's board in the year 2013-2014. But, the respondent's board after having considered the case of the petitioner refused to appoint him on the ground that the petitioner is not satisfying the requirements of age qualification. At that stage, the petitioner approached this Court by filing W.P.No.34768 of 2013 complaining that the respondent has not taken any action on the representation submitted by the petitioner. This Court by an order dated 09.01.2014, direct the respondents to consider the representation dated 03.12.2013 submitted by the petitioner and accordingly the respondents after having considered the representation passed in the impugned order in Letter No.108041/1286(A)/G.56/G.562/2014-1, dated 01.04.2014 stating that in terms of various board proceedings, the upper age prescribed to the post of Assessor is 35 years in respect of priority category. In terms of the same, the



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petitioner is not eligible for being appointed to the post of Assessor in the

respondent's board as the petitioner has already crossed the age of 35 years. It

is also stated in the impugned order that the said upper age limit of 35 years fixed in B.P.(FB).No.1, (Adm.Branch) dated 18.01.2000 was relaxed for a period of five years, in terms of B.P.(FB) No.25, (Adm.Branch) dated 28.10.2006 and the said relaxation has come to an end in the year 2011 and thereafter any candidate in order to be appointed to the post of Assessor should be within the upper age limit of 35 years. Further, the respondent also explained the reasons for fixing the upper age limit as 35 years for all priority categories and the circumstances under which the Assessor is expected to discharge his duties and also considering the past experience of the board in appointing the persons who are aged more than 35 years to the post of Assessor.

2. The said B.P.(FB) No.1 dated 18.1.2000 under which the upper age limit is fixed as 35 years irrespective of the priority categories is not under challenge. Once the upper age limit is prescribed as 35 years under the aforesaid B.P, board proceedings and in absence of any challenge to the said proceedings and also considering the admitted facts situation, the petitioner has



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admittedly crossed the age of 35 years, as on the date, on which, the name of the petitioner was sponsored by the District Employment Exchange, this Court does not find any error or illegality in the impugned order passed by the respondent.

4. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

07.08.2024

Index : Yes/No

Internet : Yes/No

Speaking Order/Non-Speaking Order

Neutral Citation : Yes/No

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To

The Chairman,
Tamil Nadu Generation & Distribution Corporation,
Tamil Nadu Electricity Board,
Chennai – 600 002.



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MUMMINENI SUDHEER KUMAR, J.

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