



W.P.No.14 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.14 of 2024

and

W.M.P.Nos.8 & 9 of 2024

Nalabothu Siva Ramaiah

...Petitioner

-Vs-

1.Airport Authority of India
Southern Region
Meenambakkam
Chennai – 600 027.

2.Regional Executive Director
Airport Authority of India
Southern Region
Meenambakkam
Chennai – 600 027.

3.Assistant General Manager (HR)
Airport Authority of India
Southern Region
Meenambakkam
Chennai – 600 027.

...Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records relating to email dated 15.05.2023 and letter No.AAI/SR/M/CPG-II/EH/R&P dated 05.07.2023, and letter No.AAI/SR/M/CPGRAMS/EH/R&P dated 20.09.2023 issued by the 3rd respondent and quash the same and direct the respondent to appoint the petitioner in the post of Senior Assistant (Accounts) in the unreserved category with effect from the date the Petitioner's immediate juniors in the merit list were appointed with seniority, pay, allowances and all other consequential benefits.

For Petitioner : Ms.Sai Srujan Tayi

For Respondents : Mr.M.Palanimuthu
Standing Counsel

ORDER

This writ petition has been filed challenging the order passed by the 3rd respondent dated 05.07.2023 and 20.09.2023 thereby not to consider the petitioner for the post of Senior Assistant (Accounts).



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2. The respondents had published a recruitment notification for direct recruitment to the post of Senior Assistant (Accounts) for 13 vacancies. The educational qualification is graduates preferably B.Com with computer training course of 03 to 06 months with two years relevant experience in the concerned discipline. The petitioner submitted online application and attended written test on 15.11.2022. The petitioner secured 78 out of 100 marks. He received letter on 23.02.2023 for document verification and he had duly submitted all original documents. However, his name is not found in the selection list. Therefore, the petitioner had sent a representation through email. The same was replied on 15.05.2023 stating that the experience required by the notification is 'post degree' and that the experience stated by the petitioner is 'post CA' inter examination but prior to B.Com degree will not qualify as 'post qualification' experience.

3. The learned counsel for the petitioner submitted that the petitioner is a B.Com., graduate and he had passed C.A. intermediate examination in the month of May 2019 and thereafter, he had joined degree



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course on B.Com.,. He had worked from 24.01.2020 to 04.10.2021 with B AJai Kumar & Company, a Firm of Chartered Accountants (total period of 1 year and 8 months). Thereafter, from 04.10.2021 to 29.09.2022 with Zenoti India Pvt., Ltd., as Finance Trainee (i.e., for total of almost 1 year). Therefore, the petitioner have combined experience of two years + 8 months. Non selection of the petitioner is violative of the existent rules, and Airports Authority of India (Recruitment & Promotion) Regulations, 2020 framed by the respondent which govern recruitment for the post of Senior Assistant (Accounts), particularly Regulation 15.2. thereof and also the recruitment notification dated 25.08.2023. Accordingly, governing experience specifically reads as follows:

"Graduates preferably B.Com., with computer training course of 03 to 06 months. Two years (2) relevant experience in the concerned discipline."

The word 'experience' employed by the respondents is not qualified with any prefix or suffix words indicating 'post qualification experience'.



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4. Therefore, it required the candidates to have a minimum of two years experience which the petitioner admittedly fulfills. Though, the impugned letter states that the experience required is not prior, but post-degree qualification, whereas nowhere the recruitment notification states that the experience required is Post-degree qualification. In fact, it is not the case of the respondent that the petitioner does not have adequate experience for the post. The respondent stated that the language of the notification requires post qualification experience which indeed is not the language of the notification.

5. On perusal of the notification issued by the 2nd respondent in respect of the Senior Assistant (Accounts), the educational qualification is that graduates preferably B.Com., with computer training course of 03 to 06 months and two years (2) relevant experience in the concerned discipline. Admittedly, the petitioner had joined in the discipline of B.Com, in the year 2019. While doing his degree, he had joined with B Ajai Kumar &



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Company, a Firm of Chartered Accountants (total period of 1 year and 8 months). Thereafter, he had worked with Zenoti India Private Limited as Finance Trainee from 04.10.2021 to 29.09.2022 (i.e., for total of almost 1 year). Therefore, he failed to specify the two years experience. Though produced two experience certificate before this Court, the 2nd experience certificate was not even whispered in the communication sent by the respondents. Further, as per the eligibility to the post of Senior Assistant (Accounts), two years relevant experience in the concerned discipline. It means it has to be in the concerned discipline is B.Com., degree. Even according to the petitioner, during the course of his degree, he had worked as Audit Assistant. Further, he is not qualified with any 'post qualification experience'. Post qualification experience is required for the post of Senior Assistant (Accounts). Hence, the petitioner was not considered for the post of Senior Assistant (Accounts) by the respondent.



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6. In view of the above, this court finds no infirmity or illegality of the letters issued by the 3rd respondent dated 05.07.2023 and 20.09.2023.

Hence, this writ petition is liable to be dismissed. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

08.01.2024

Index : Yes/No
Internet: Yes/No
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