



W.A(MD).No.859 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 01.09.2025

CORAM

**THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN
and
THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

**W.A.(MD)No.859 of 2020
and WMP(MD) Nos.4772 & 4774 of 2020**

C. Thangapandi

... Appellant/Petitioner

Vs

1. The Principal Director,
O/o. the Principal Director,
Highways Department, Chepauk, Chennai - 05.

2. The Chief Engineer,
(Highways), Quality Control and Research Office,
Sardar Vallabhai Patel Road,
Guindy, Chennai - 25.

3. The Joint Director (Administration),
Office of the Principal Director,
Highways, Chepauk,
Chennai - 05.



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4. The District Employment Officer,
Virudhunagar District Employment Exchange,
Virudhunagar District,
Virudhunagar.

5. Rathinasamy

6. K.Baburaj

... Respondents/Respondents

PRAYER : Writ Appeal is filed under Clause 15 of the Letters Patent Act to set aside the order in WP(MD) No.15484 of 2013, dated 20.02.2018 on the file of this Court.

For Appellants : Mr.T.Thirumurugan

For Respondent : Mr.P.Subbaraj (R1 to R4)
Special Public Prosecutor

JUDGMENT

(Judgment was delivered by C.V.KARTHIKEYAN, J)

This writ appeal has been filed by the petitioner in W.P(MD) No.15484 of 2013 challenging the order, dated 20.02.2018, by which, the learned Single Judge had dismissed the writ petition.

2.The writ petitioner in WP(MD) No.15483 of 2013 is the appellant herein. The said writ petition has been filed in the nature of



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mandamus seeking a direction to the respondents 1 to 3 therein, to appoint the writ petitioner as Junior Drafting Officer in the Highways Department under Scheduled Caste community (Arunthathiyar) quota. Even in the writ petition, the petitioner had also impleaded Mr.Rathinasamy as R5 and Mr.K.Baburaj as R6, who had been selected in the selection process, in which, the petitioner had also attended. Unfortunately, though they had been impleaded as respondents, their selection was not assailed in the writ petition.

3.It is the case of the writ petitioner that in response to the advertisement issued in the Newspaper, he was sponsored by the Employment Exchange for the post of Junior Drafting Officer in the Highways Department under Scheduled Caste community (Arunthathiyar) quota.

4.Much reliance had been placed on the advertisement issued, wherein, it had been stated that the selection would be done based on seniority of the Employment Exchange.



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5.The petitioner claims that he is a senior in age and also in the date of registration in the Employment Exchange than those who have been selected viz., R5, R6 in the writ petition.

6.It is also contended that R5, R6 had been selected based on the interview marks during the course of respective assessment of the candidates, who have been sponsored by the Employment Exchange. Marks have also been disclosed and perusal of the same shows that R5, M.Ratinasamy had obtained 45 out of 50 and R6, K.Baburaj had obtained 35 out of 50 and the petitioner, C.Thangapandi had obtained 32 out of 50. Hence, the petitioner claims that this particular selection process is vitiated and has to be interfered with.

7.The learned counsel for the appellant argued that the petitioner admittedly being senior in the registration with the Employment Exchange and senior in age should have been automatically selected as Junior Drafting Officer.

8.However, it is contended on behalf of the respondents that



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some discretion must also be given to the respondents to assess the candidates, who have been sponsored by the Employment Exchange. It had also been contended that otherwise the Employment Exchange would be considered not only as the sponsoring agency, but also the selection authority. The selection authority must give authority and liberty to assess the candidates, who have been sponsored by the Employment Exchange.

9.The learned counsel for the appellant had drawn our notice to the communication issued by the Employment Exchange to the Highways Department and it is seen that they have only forwarded the list of candidates, of those who have been registered with the Employment Exchange and they have specifically stated that the candidates, who have been forwarded by the Employment Exchange should be subjected to an appropriate test conducted by the Department and there after be selected.

10.The learned counsel for the appellant however stated that selection should be done only based on seniority of age and date of



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registration.

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11.The learned Single Judge has not concurred with the particular view. The contention of the petitioner that merely because the petitioner is senior in registration with the Employment Exchange and also in age, he should be automatically selected would not withstand the scrutiny of the Court.

12.Every employer necessarily has the authority to assess the candidates, whose names are forwarded by the Employment Exchange. The Highways Department has also assessed the candidates sponsored by the Employment Exchange by conducting interview and they had given marks, but those marks are not being challenged and the selection of the respondents 5 and 6 are not also challenged.

13.It is only a writ of mandamus seeking examination of the representation, by which, the petitioner has sought appointment. It is



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also seen that the learned Single Judge had also dismissed the writ petition on the ground that the petitioner has filed the writ petition one year later from the date of selection and that those who have been selected had obtained more marks in the interview than the appellant herein.

14.Both the reasons are acceptable and we did not agree with the contentions raised by the appellant. Accordingly, this writ appeal stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(C.V.K., J.) (R.V, J.)
01.09.2025

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
PNM



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