

(2009) 06 MAD CK 0193

In the Madras High Court

Case No : Writ Petition No. 356 of 2007 and O.A. No. 571 of 2001

K. Balaiyan

APPELLANT

Vs

The Commissioner of Employment and Training

RESPONDENT

Date of Decision : 16-06-2009

Acts Referred:

Constitution of India, 1950 — Article 14, 16, 19

Citation : (2009) 06 MAD CK 0193

Hon'ble Judges : M. Jaichandren, J

Bench : Single Bench

Advocate : K. Thennan, for the Appellant; V. Arun, Additional Government Pleader, for the Respondent

Final Decision : Dismissed

Judgement

M. Jaichandren, J.—Heard the learned Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

2. This writ petition has been filed to call for the records relating to the order of the first respondent, dated 29.11.2000, made in Rc. No. TP2/65230/2000, calling for the candidates from the employment exchange, based on State-wide seniority list. It has also been prayed that the respondents may be directed to consider the name of the petitioner to be appointed in the post of Junior Training Officer, on the basis of the State-wide Employment Exchange seniority.

3. At this stage of the hearing of the writ petition, it has been brought to the notice of this Court that a Division Bench of this Court, in the decision reported in Unemployed Secondary Grade Teachers Welfare Association v. The State of Tamil Nadu and Anr. 2008 W.L.R. 747, had held that in view of the provisions contained under Article 14, 16 and 19 of the Constitution of India, no person can be denied equality of opportunity in employment on the ground of residence alone. Hence, the recruitment of candidates based on State-wide seniority cannot be said to be invalid. In the judgment reported in M. Ramesh Kumar v. Secretary to Govt.

2008 (8) MLJ 867, a learned Single Judge of this Court, had followed the dictum laid down by the Division Bench.

4. In such circumstances, this Court finds no reason to interfere with the impugned proceedings of the first respondent, dated 29.11.2000. Hence, the writ petition stands dismissed. No costs.