

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2016

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.2134 of 2016

and

WMP.No.1853 of 2016

G.Arumugam,
S/o.Gothandabani,
No.44, Mariyamman Koil Street,
Maharajapuram, Villupuram-605 602. ... Petitioner

Vs

- 1 The District Collector,
Villupuram District, Villupuram.
- 2 The Tahsildar
Villupuram Taluk, Villupuram. ... Respondents

Prayer: The Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to given an appointment to the post Village Assistant in Maharajapuram Village Villupuram Taluk and District based on the petition dated 25.07.2012.

For Petitioner : Mr.S.Mazhaimenipandiyan
For Respondents : Mr.M.L.Mahendran
Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to issue a writ of mandamus directing the second respondent to give an appointment to the post of Village Assistant in Maharajapuram village, Villupuram Taluk and District.

3. The case of the petitioner is that he belongs to Most Backward Community and he has passed 10th standard. The second respondent issued a call letter for appointment to the post of Village Assistant in his proceedings dated 13.09.2010. The petitioner and one G.Mani had attended the interview, but the respondents, instead of selecting the petitioner, selected the said Mani.

4. The petitioner would further state that the person, who was already selected, had produced false certificate and therefore, the petitioner made a complaint to the respondents and after enquiry, he was terminated from service. Once appointment of the said Mani was cancelled by the respondents, the petitioner is entitled for appointment to that post. However, the respondents have not passed any order so far based on the representation of the petitioner dated 25.07.2012. Therefore, the present writ petition.

5. Heard Mr.S.Mazhaimenipandiyar, learned counsel appearing for the petitioner and Mr.M.L.Mahendran, learned Government Advocate, who accepts notice on behalf of the respondents.

6. This Court, considering the submission of the learned counsel for the petitioner and without going into the merits of this case, permits the petitioner to submit fresh representation to the respondents by enclosing a copy of this order as well as copy of the relevant records within a period of two weeks from the date of receipt of a copy of this order. The respondents, on receipt of the same, are directed to consider the said representation and pass appropriate orders on merits and in accordance with law, within a period of two weeks therefrom and communicate the decision taken, to the petitioner. Till such time, the respondents shall keep one post of Village Assistant vacant.

The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.
sms

s/d-

Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

To

1 The District Collector, Villupuram District, Villupuram.

2 The Tahsildar Villupuram Taluk, Villupuram.

+ 1 cc to Mr.S.Mazhaimeni Pandiyar, Advocate SR 3941

+1 cc to the Govt.Pleader, SR.4068 (10/5/16)

kji(co)

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