



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2016

CORAM

THE HONOURABLE **MR. JUSTICE T. RAJA**

W.P (MD) .No.14420 of 2016

U.Chellapandi

... Petitioner

Vs.

1.The Commissioner
Hindu Religious and
Charitable Endowment Department,
Nungambakkam,
Chennai - 600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable
Endowment Department,
South Chitrai Street,
Madurai - 625 001.

3.The Assistant Commissioner/
Executive Officer,
Arulmigu Kuda Alagar Thirukovil,
Madurai - 625 001.

4.N.Gnanaguru

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a WRIT OF CERTIORARI to call for the records pertaining to the impugned order passed by the first respondent in Mu.Mu.No.30436/2015/Z2 dated 16.07.2015 and quash the same as illegal, arbitrary and violation of principles of natural justice.

For petitioner : Mr.T.R.Subramanian

For respondents : Mr.V.R.Shanmuganathan

Spl. Govt. Pleader

for R1 & R2

Mr.Aairam K.Selvakumar for R3

**ORDER**

The petitioner/Mr.V.Chellapandi has challenged the information furnished under Right to Information Act and also another order, dated 16.07.2015, issued by the first respondent, Assistant Commissioner/Executive Officer, Arulmigu Kuda Alagar Thirukovil, Madurai, wherein, the first respondent has appointed the fourth respondent Mr.Gnanaguru as Driver.

Learned counsel appearing for the petitioner would submit that when a paper publication was made by the Assistant Commissioner/Executive Officer, Arulmigu Kuda Alagar Thirukovil, Madurai, the third respondent herein, inviting the application for the post of Driver belonging to the third respondent's vehicle, the petitioner has sent an application on 28.07.2015 along with all the relevant documents and the third respondent also called for interview the petitioner and others on 14.11.2014, 30.03.2015, 09.05.2015 and 04.06.2015 respectively for interview. The petitioner also took part in the interview and answered all the questions. Among 16 candidates, who took part in the interview before the second respondent, only one person should be selected. In the beginning four persons were disqualified. Finally, the third respondent appointed the fourth respondent for the post of Driver on 15.07.2015 considering his qualification. Since the petitioner is having light and heavy motor vehicle license and he is presently driving four wheeler and having more than 10 years experience than the fourth respondent, the third respondent ought to have considered the petitioner alone. But this Court is not able to find any merits in the writ petition. The reason is a perusal of the information given on 07.09.2015 by the Superintendent/Public Information Officer, Arulmigu Kuda Alagar Thirukovil, Madurai, clearly shows that the fourth respondent has got all the requisite qualification for the post of Driver, therefore, he was selected by the selection committee. The said information also indicates that out of 24 candidates applied originally, only 16 candidates took part in the interview and the fourth respondent has been finally selected. Therefore, when the petitioner has not come to this Court with any irregularity either in the selection process or in appointing the fourth respondent by issuing appointment order, this writ petition fails and the same is dismissed. No costs.

Sd/-

Assistant Registrar (Crl.side)

/True Copy/

Sub Assistant Registrar



To

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Hindu Religious and
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3. The Assistant Commissioner/
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+ 1 CC TO Mr.T.R.SUBRAMANIAN, ADVOCATE IN SR No. 42874

SKN

TE/GSV-PM : 17/11/2016 : 3P/5C

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