

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.03.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.5491 of 2017

R.Marudha Muthu

... Petitioner

-vs-

1.The District Collector,
Villupuram Collectorate,
Villupuram.

2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Kallakurichi, Villupuram District.

3.The Employment Officer,
District Employment Office,
Villupuram District.

4.The Tahsildar,
O/o.The Tahsildar,
Chinnasalem, Villupuram District.

5.Shanmugapriya Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the 4th respondent herein to consider the representation dated 01.12.2016 submitted by the petitioner.

For Petitioner : Mr.K.Balasubramaniam

For Respondents: Mr.V.Jayaprakash Narayanan
Special Government Pleader
(For R1 to R4)

O R D E R

The writ petition has been filed by the petitioner, seeking a direction to the fourth respondent to consider his representation dated 01.12.2016.

2.A peculiar prayer has been sought for in the present writ petition by the petitioner, viz., R.Marudha Muthu S/o.Ramalingam.

3.The grievance of the petitioner shows that the fifth respondent, viz., Shanmugapriya, who is a widow, was appointed to the post of Village Assistant in Chinnasalem by overlooking the claim of the petitioner. The petitioner has submitted a representation dated 01.12.2016 to the respondents 1, 2 and 3 alleging that fraud has been committed in appointing the fifth respondent as Village Assistant and thereupon to conduct further enquiry. Since the representation has not been considered, the petitioner is before this Court.

4.Heard the learned counsel appearing for the petitioner. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader takes notice on behalf of the respondents 1 to 4.

5.It is not known as to how the petitioner can make an application/representation to conduct an enquiry when he was aggrieved by an order of appointment in favour of the fifth respondent without challenging the correctness of the appointment order. Therefore, the basic fundamental mistake has been committed by the petitioner in not challenging the order of appointment in favour of the fifth respondent, who is a widow, to the post of Village Assistant in Chinnasalem. Therefore, this Court is at last to entertain the present prayer to consider his representation as no purpose would be served by giving a direction to consider the petitioner's representation. Accordingly, the writ petition fails and the same is dismissed. However, there is no order as to costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

cse
To

1.The District Collector,
Villupuram Collectorate,
Villupuram.

2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Kallakurichi, Villupuram District.

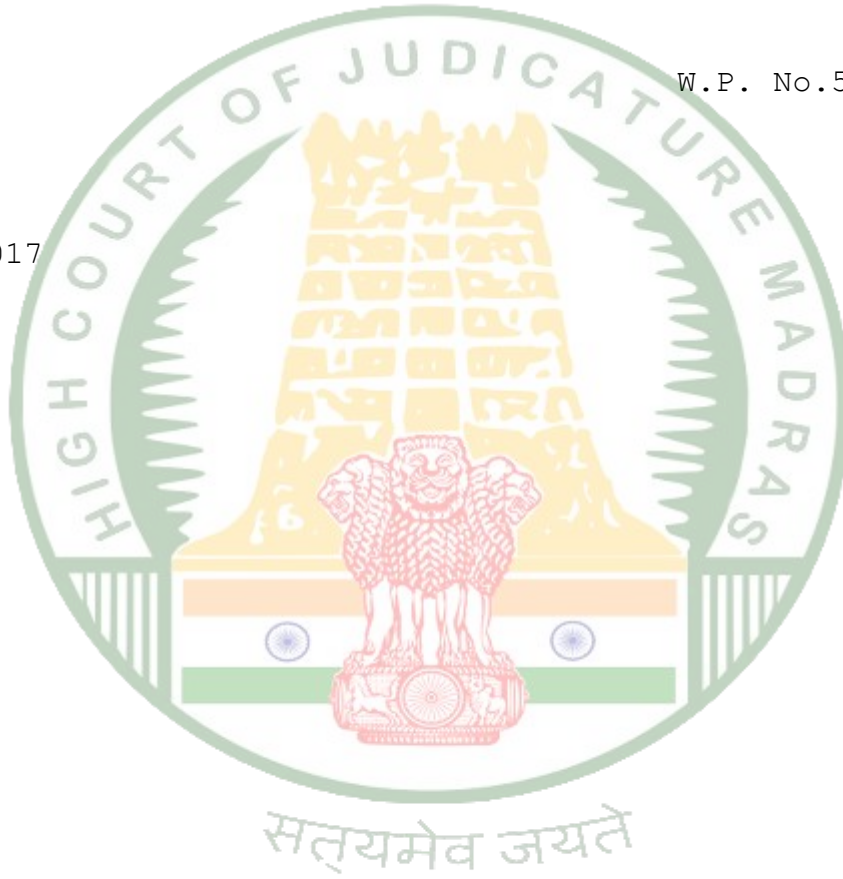
3.The Employment Officer,
District Employment Office,
Villupuram District.

4.The Tahsildar,
O/o.The Tahsildar,
Chinnasalem, Villupuram District.

+lcc to the Government Pleader Sr.14731

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