

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.07.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P. No.6811 of 2017

V.Thangapandian

... Petitioner

.Vs.

1. The District Collector,
Salem District,
Salem.

2. The Revenue Divisional Officer,
Salem.

3. The Tahsildar,
Salem West Taluk,
Jagir Ammapalayam Main Road,
Bodinaickan patti,
Salem - 636 005.

... Respondents

Prayer : Petition filed Under Article 226 of the Constitution of India to issue of Writ of Mandamus, directing the first respondent to consider the appeal dated 27.12.2016 of the petitioner pertaining to selection and appointment as Village Assistant, Mooduthurai Village, Salem West Taluk, after affording opportunity of being heard to the petitioner as well as to the person appointed and to pass appropriate orders there on in accordance with the special rules and norms governing the said appointment within a time frame.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.S.Gunasekaran
Addl. Govt. Pleader

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O R D E R

The writ petitioner preferred an appeal to the first respondent on 27.12.2016. The writ petitioner is an aspiring candidate for recruitment to the post of Village Assistant of Mooduthurai Village, Salem West Taluk.

2.The writ petitioner questioned the appointments on the ground that it was made contrary to the Special Rules for Tamil Nadu Village Assistant Service, formulated in G.O.Ms.No.521,

Revenue, dated 17.06.1998 as amended in G.O.M.S.No.375, Revenue, dated 19.10.2015.

3.The learned counsel appearing for the writ petitioner contended that the petitioner made an appeal to the first respondent on 27.12.2016 and it is suffice if a direction is issued to consider the said appeal in accordance with law, after providing an opportunity to the writ petitioner and other affected parties.

4.In view of the limited prayer sought for by the learned counsel for the writ petitioner, this Court is inclined to direct the first respondent to consider the appeal dated 27.12.2016 on merits and in accordance with law, by providing an opportunity to all concerned parties and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. The writ petitioner is directed to send a copy of the appeal dated 27.12.2016 along with the order passed in this writ petition. Accordingly, the writ petition stands disposed of. However, no order as to costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

smn/kas

To.

1. The District Collector,
Salem District,
Salem.
2. The Revenue Divisional Officer,
Salem.
3. The Tahsildar,
Salem West Taluk,
Jagir Ammapalayam Main Road,
Bodinaickan patti,
Salem - 636 005

+1cc to Mr.M.Ravi, Advocate SR.No.50214

+1cc to Government Pleader SR.No.50152

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SR(CO)
GN(03/08/2017)