

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.08.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.21250 of 2017

and

WMP.Nos.22154 and 22155 of 2017

K.Karthikeyan

..Petitioner

Vs

1.The District Collector
Office of the District Collector
Cuddalore District.

2.The Thasildar
Bhuvanagiri Taluk
Cuddalore District.

3.Anirua
4.Banumathi
5.Suganya
6.Shankar
7.Aruna

... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue of Writ of Certiorarified Mandamus, to calling for the entire records on the file of the second respondent herein relating to the impugned notification dated 27.06.2017 published in Thinathanthi Tamil Daily news paper relating to the appointment of Village Assistant in Bhuvanagiri Taluk, Cuddalore District and quash the same as illegal and consequently direct the second respondent to appoint the petitioner as Village Assistant to any of the nearest village in Bhuvanagiri Taluk, Cuddalore District.

For Petitioner : Mr.B.Ganesha Moorthy

For Respondents : Mr.M.Perumal
Government Advocate

O R D E R

The notification issued by the second respondent for recruitment to the post of Village Assistant is under challenge in this writ petition.

2. The writ petitioner seeks appointment to the post of Village Assistant, in this writ petition. The writ petitioner is also the candidate applied for recruitment to the post of Village Assistant, pursuant to the notification issued by the second respondent on 27.06.2017.

3. The learned counsel appearing for the writ petitioner contended that the writ petitioner participated in the interview and subsequently, his candidature was not accepted and other persons are appointed. At this juncture, the writ petitioner has moved this writ petition challenging the notification issued dated 26.07.2017, on the ground that the name of the Village is not stated in the notification and the persons residing out side the radius of 5 Kilo Meter are going to be appointed. This apart, he is objecting by stating that certain procedures are not followed, while issuing notification in this regard. The learned counsel appearing for the petitioner made a comparison with the similar notification issued by the Thasildar, Virudhachalam.

4. The writ petitioner having applied for the post of Village Assistant by responding the impugned notification dated 27.06.2017 and had appeared for the written examination and thereafter, in the interview, now questioning the notification, on the ground that the name of the Village has not been stated in the notification.

5. On perusal of the representation submitted by the writ petitioner dated 24.07.2017, which is enclosed in Page No.5 of the typed set of papers filed along with this writ petition, this Court is able to found that already five persons namely Anirua, Banumathi, Suganya, Shankar and Aruna were appointed as Village Assistants and the petitioner was not selected. Thus, this Court is of the opinion that the writ petitioner has filed this writ petition out of frustration due to his non selection in the recruitment process. To support his claim with regard to the procedural violation in the impugned notification, the writ petitioner is unable to produce any Rules or Government Orders, establishing that the second respondent, has committed irregularities. In the absence of any Rules or Orders in this regard this court is not in a position to entertain the grounds made out in this writ petition.

6. The candidate who was not selected in the recruitment process, after his participation in the process of selection, cannot question the notification due to his non selection. Notification may be challenged at the first instance and same cannot be done after participating in the process of selection. Such being the principles the present writ petition filed is devoid of merits and no consideration is required to be given, on the ground raised in this writ petition. However, the writ petitioner being a young person need not get discouraged of his non-selection. This Court wishes him for the best in his future and let him continue to put his efforts hereafter vigorously.

7. Accordingly, the writ petition stands dismissed. However, there is no order as to costs. Consequently, the connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

dna
To

1.The District Collector
Office of the District Collector
Cuddalore District.

2.The Thasildar
Bhuvanagiri Taluk
Cuddalore District.

+ 1 cc to Mr.B. Ganeshamoorthy, Advocate Sr.57431
+ 1 cc to Government Pleader Sr.57970

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