

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.11.2017

CORAM

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

W.P.No.21055 of 2010

K.Paulraj

..Petitioner

vs

1.The Secretary to Government,
Revenue Department,
Fort St.George,
Chennai - 9.

2.The Special Commissioner and
Commissioner for Revenue Administration,
Chepauk, Chennai - 5.

3.The District Collector,
Coimbatore District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to appoint the petitioner as Village Administrative Officer if necessary after conducting Special Qualifying Test in terms of G.O.Ms.No.439 Revenue Department dated 15.7.2008.

For Petitioner : Mr.S.Kamadevan

For Respondents : Mr.A.Rajaperumal

Additional Government Pleader

O R D E R

The relief sought for in this writ petition is for a direction to the respondents to appoint the petitioner as Village Administrative Officer if necessary, after conducting Special Qualifying Test in terms of G.O.Ms.No.439, Revenue Department, dated 15.07.2008.

2.The rules relating to the recruitment to the post of Village Administrative Officer had undergone changes and now, the post of Village Administrative Officer is brought under the purview of the Tamil Nadu Public Service Commission. However, the learned counsel for the writ petitioner states that even thereafter, the Government issued Order in respect of the

Special Qualifying Test for the purpose of Village Administrative Officer in G.O.Ms.No.439, Revenue Department, dated 15.07.2008, relaxing the recruitment process, cannot be done by the Government and the State is bound to follow the recruitment rules in force scrupulously and in accordance with the Constitutional principles.

3.This being the procedure to be adopted by the State, while undertaking the process of appointment, there cannot be any relaxation in violation of the Constitutional principles. Equal opportunity in public employment is a constitutional mandate and dilution of any rules in this regard will create discrimination amongst the equal class of people. The writ petitioner was aged about 52 years at the time of filing of the writ petition and now, he would be 60 years of age and therefore, there is no point in considering the claim of the writ petitioner in this writ petition.

4.Accordingly, the writ petition is devoid of merits and stands dismissed. However, there shall be no order as to costs.

kak

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government,
Revenue Department,
Fort St.George,
Chennai - 9.

2.The Special Commissioner and
Commissioner for Revenue Administration,
Chepauk, Chennai - 5.

3.The District Collector,
Coimbatore District.

+2cc to the Government Pleader SR.No.84373, 84378

W.P.No.21055 of 2010

sm:13.12.2017