

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2017

CORAM :

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No. 26137 of 2013

C. Rajamanickam

.. Petitioner

Vs.

1. The District Collector
Villupuram District
Villupuram.

2. The Tahsildar
Sanakarapuram Taluk
Villupuram District
Villupuram.

3. The District Employment Officer
Villupuram District
Villupuram.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 3rd respondent to sponsor the petitioner's name to the second respondent to appoint him as Village Assistant and pass further orders.

For Petitioner : Mr. S. Gopinathan

For Respondents : Mr. A. Raja Perumal,

Additional Government Pleader

O R D E R

The petitioner has filed the present writ petition, seeking to direct the 3rd respondent to sponsor his name to the second respondent, to be appointed as Village Assistant.

2. Learned counsel for the petitioner submitted that the petitioner is 10th failed and registered with the 3rd respondent on 19.03.1991. In the year 2012, his name was sponsored by the 3rd respondent to the 2nd respondent, for the post of Village Assistant. But he was not appointed to the said post. Learned counsel for the petitioner submitted that his name

was not sponsored for the interview conducted by the 2nd respondent on 16.09.2013. Therefore, the petitioner submitted a representation to the respondents stating that he is 38 years old and that he is at the fag end to get a government job and that persons who are junior to him in seniority has been sponsored and selected by the 2nd respondent. Since no action was taken by the respondents, this writ petition has been filed by the petitioner, seeking the aforesaid prayer.

3. The third respondent has filed his counter affidavit. Learned Additional Government Pleader, drew the attention of this Court to paragraph 6 of the counter affidavit, wherein it is stated that the last candidate's seniority in Scheduled Caste General Non-priority category is 10.01.1991. Since the petitioner's seniority date is 19.03.1991, he does not come within the purview of the cut off date and so his name was not sponsored to the 2nd respondent. Therefore, sought to dismiss the writ petition.

4. Heard learned counsel for the petitioner and learned Additional Government Pleader for the respondents.

5. It has been made clear in the counter affidavit filed by the third respondent, the priority status of the petitioner, the norms followed by him and had also stated the reasons for not sponsoring the petitioner. Hence, this Court finds no reason to consider the case of the petitioner.

6. In the light of the submission made by the 3rd respondent, the writ petition fails and the same is dismissed. No costs.

-s/d-

Assistant Registrar (CS-VII)

True Copy

Sub-Assistant Registrar

To

1. The District Collector
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Villupuram.

2. The Tahsildar
Sanakarapuram Taluk
Villupuram District
Villupuram.

3. The District Employment Officer
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Villupuram.

+1 CC to Mr. S. Gopinathan, Advocate sr 5752
+1 CC to The Govt. Pleader sr 6508

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GJII(CO)
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