



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.03.2017

CORAM

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THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.3678 of 2017

and

W.M.P (MD) No.2950 of 2017

1.R.Rajkumar

2.S.Karthick Raja

3.M.Pragatheeswaran

... Petitioner

Vs.

1.The Principal Secretary to the Government,
Department of Municipal Administration and Water Supply,
Secretariat, Chennai-9.

2.The Director of Town Panchayats,
Kuralagam,
Chennai-600 001.

3.The District Collector,
Trichy District.

4.The District Collector,
Coimbatore District.

5.The District Collector,
Krishnagiri District.

6.The District Collector,
Namakkal District.

7.The District Collector,
Salem District.

8.The District Collector,
Cuddalore District.

9.The District Collector,
Erode District.

<https://hcservices.ecourts.gov.in/hcservices/>
10.The District Collector,
Villupuram District.



11.The District Collector,
Sivagangai District.

12.The District Collector,
Thanjavur District.

13.The District Collector,
Thiruvallur District.

14.The District Collector,
Tirunelveli District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, forbearing the respondents from filling up the posts of Sanitary Inspectors in Town Panchayhats which are vacant by appointing the unqualified sanitary supervisors who do not possess the eligible qualification I.e., B.Sc Chemistry Degree along with P.G.Diploma in Sanitary Inspector Training issued by Gandhigram Rural Institute(Deemed University), Dindigul and consequently for a direction directing the respondents to fill up the posts of Sanitary Inspectors which are vacant in Town Panchayats by way of conducting Direct Recruitment as contemplated in the Tamil Nadu Town Panchayat Sanitary Inspectors Service Rules, 1982.

For Petitioner : M/s.T.Lajapathi Roy

For Respondents : Mr.M.Rajarajan
Government Advocate

O R D E R

This Writ Petition has been filed, seeking a direction forbearing the respondents from filling up the posts of Sanitary Inspectors in Town Panchayats which are vacant by appointing the unqualified sanitary supervisors who do not possess the eligible qualification I.e., B.Sc Chemistry Degree along with P.G.Diploma in Sanitary Inspector Training issued by Gandhigram Rural Institute(Deemed University), Dindigul and consequently for a direction directing the respondents to fill up the posts of Sanitary Inspectors which are vacant in Town Panchayats by way of conducting Direct Recruitment as contemplated in the Tamil Nadu Town Panchayat Sanitary Inspectors Service Rules, 1982.

2.Mr.M.Rajarajan, learned Government Advocate takes notice for the respondents. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.



3.The Petitioner has approached this Court with a prayer that unqualified persons are going to be appointed for the post of Sanitary Supervisors who did not possess the eligible qualification of B.Sc Chemistry along with P.G.Diploma in Sanitary Inspector Training issued by the Gandhigram Rural Institute(Deemed University), Dindigul. As the Petitioner has made a hypothetical prayer based on assumptions and surmises, the said prayer cannot be accepted by this Court. The petitioner would further submit that unqualified persons are being appointed in Krishnagiri District. If any appointment is made,it is open to the Petitioner to challenge the same in accordance with law and when such appointment is made, if the same is brought to the notice of this Court, this Court would definitely interfere with the same and take appropriate action against the Officers, who appointed the unqualified persons. But in this case, the Petitioner has challenged those appointment of unqualified persons, which are to be made in future without any documents and based only on assumptions. Such a prayer made by the Petitioner cannot be granted. Further, if any such appointment is made by the authorities concerned by selecting unqualified persons and if the same is brought to the notice of this Court, necessary action will be taken. This Court expects that appointments as referred to above by the Petitioner are made in accordance with law and rules thereunder.

4.With the above observations, the Writ Petition is dismissed. Consequently, connected Miscellaneous Petition is dismissed. No costs.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To:

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Tirunelveli District.

+1 cc to Special Government Pleader, SR.No:12315

vsn

AE/SKN/RSK/03.04.2017/4P/16C

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