



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.05.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.(MD) No.8939 of 2017

K.Vincent

... Petitioner

-vs-

1.The Assistant Director of Panchayat
O/o.The Assistant Director of Panchayat
Nagercoil, Kanyakumari

2.The Executive Officer
Karungal Selection Grade
Town Panchayat
Karungal
Kanyakumari District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus, to direct the respondents No.1 and 2 to consider the petitioner for appointment for the post of Pump Operator in the respondent no.2 panchayat within the time period stipulated.

For Petitioner : Mr.T.Lajapathi Roy

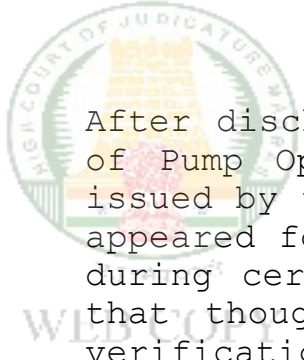
For Respondents : Mr.C.Selvaraj,
Spl. Government Pleader

O R D E R

Mr.C.Selvaraj, learned Special Government Pleader, accepts notice on behalf of the respondents. With the consent of both sides, the writ petition is taken up for final hearing at the admission stage itself.

2. The prayer in the writ petition is for issuance of a writ of mandamus to direct the respondents to consider the petitioner for appointment to the post of Pump Operator in the second respondent - Panchayat within a time frame.

<https://hcservices.ecourts.gov.in/hcservices/> 3. As regards the petitioner, he had completed ninth standard and served in the Indian Army from 19.03.1996 to 18.03.2015.



After discharge from the Indian Army, he had applied for the post of Pump Operator pursuant to the proceedings, dated 11.02.2017, issued by the second respondent - Panchayat. Subsequently, he had appeared for the interview and produced all the original documents during certificate verification on 10.03.2017. His grievance is that though he had appeared for the interview and certificate verification on 10.03.2017, till date the respondents have not issued any appointment order to him. Therefore, he has filed this writ petition seeking the relief as stated above.

4. After hearing both sides and perusing the materials produced, this Court is not inclined to entertain the writ petition for the simple reason that after attending interview and certificate verification, finding no response from the respondents, the petitioner applied for certain particulars under the Right to Information Act and the second respondent, vide proceedings dated 18.04.2017, sent a reply stating that one another person has been selected for the said post. In such circumstances, if the petitioner is aggrieved, he can challenge only the appointment order issued to the person concerned and without doing so, he cannot come to this Court and seek such a relief. Therefore, this Court is of the view that the writ petition is bereft of substance and the same is liable to be dismissed.

5. In the result, the writ petition fails and it is dismissed. No costs.

Sd/-

ASSISTANT REGISTRAR (P&A) &
VACATION OFFICER

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To:

1. The Assistant Director of Panchayat,
O/o. The Assistant Director of Panchayat,
Nagercoil, Kanya kumari.
2. The Executive Officer,
Karungal Selection grade
town panchayat, Karungal, Kanya kumari District.

+1 CC TO SPECIAL GOVERNMENT PLEADER SR NO.56462
+1 cc to M/S.T.LAJAPATHI ROY, ADVOCATE IN SR No.56267
+1 cc to M/S.SPECIAL GOVERNMENT PLEADER SR NO.56453

SKM/KRK

MAS/MR/SAR3:17.05.2017:2P-6C