

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.01.2018

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.918 of 2018

M.Kanaga

...Petitioner

Versus

1. The District Collector,
Dharmapuri.

2. The Block Development Officer,
Pennagaram Panchayat Union,
Dharmapuri.

3. Buvaneshwari

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to publish the result of the interview held on 14.07.2017 for the post of Assistant to Cook for Kallipuram Panchayat Union Primary School based on the representation dated 16.12.2017 made by the petitioner.

For Petitioner

: Mr.M.Subha

For 1st Respondent

: Mr.V.Jayaprakash Narayanan,
Spl. Govt. Pleader

For 2nd respondent

: Mr.K.S.Suresh,
Government Advocate

ORDER

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondents to publish the result of the interview held on 14.07.2017 for the post of Assistant to Cook for Kallipuram Panchayat Union Primary School based on the representation dated 16.12.2017 made by the petitioner.

2. When the matter is called today, the learned Special Government Pleader appearing for the 1st respondent submitted that in paragraph 5 of the affidavit filed in support of the Writ Petition, it has been stated as follows:

"I state that however the selection list has not been furnished for more than 2 months. Thereafter, though the 3rd respondent, namely, one K.Buvaneshwari was said to have been selected, no formal orders or publications has been made."

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Therefore, when the petitioner herself has admitted that 3rd respondent was selected and appointed, the petitioner ought to have challenged the said appointment order issued to the 3rd respondent. Therefore, the present Writ Petition is not maintainable.

3. I agree with the said submission of the learned Special Government Pleader appearing for the 1st respondent.

4. On the face of the records, the Writ Petition is liable to be dismissed for two reasons. Firstly, the petitioner herself has admitted in the affidavit that the 3rd respondent was selected and appointed to the post of Assistant to Cook for Kallipuram Panchayat Union Primary School and secondly, without challenging the said appointment order of the 3rd respondent, the petitioner has approached this Court by way of filing the present Writ Petition.

5. In the result, the Writ Petition is dismissed as not maintainable. No costs.

17.01.2018

Index:Yes/No
Internet:Yes/No
tsi

To

1. The District Collector,
Dharmapuri.
2. The Block Development Officer,
Pennagaram Panchayat Union,
Dharmapuri.

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T.RAJA, J.
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