



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P (MD) No.9151 of 2018

Arunkumar

... Petitioner

Vs.

1. The District Collector,
Office of the Collectorate,
Pudukkottai, Pudukkottai District.

2. The Special Officer cum Block Development Officer,
Block Development Office,
Thiruvarangulam Post,
Alangudi Taluk, Pudukkottai District. ... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to select the Post of Secretary of Kaikurichi Panchayat in Pudukkottai District in a transparent manner in view of the representation dated 16.04.2018.

For Petitioner : Mr.V.Selva

For Respondents : Mr.D.Muruganantham, AGP

ORDER

The prayer sought for herein is for a Writ of Mandamus, directing the respondent to select the Post of Secretary of Kaikurichi Panchayat in Pudukkottai District in a transparent manner in view of the representation dated 16.04.2018.

2.Heard Mr.V.Selva, learned counsel appearing for the petitioner and Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondents.

3.When the case came up for hearing on 24.04.2018, the learned counsel appearing for the petitioner, after having argued the case for some time, wanted to get instructions from the petitioner to withdraw the writ petition. Therefore, at his request, it is posted today under the caption 'for withdrawal'.

4.Today, when the case is listed under the caption 'for withdrawal', the learned counsel would submit that the case can be adjourned to June 2018. Since I have heard the learned counsel



for the petitioner as well as the Additional Government Pleader already and have gone through the papers, this Court is inclined to dispose of this writ petition.

5. The petitioner approached this Court with this writ petition seeking for a mandamus by way of direction to the respondents to select the Post of Secretary of Kaikurichi Panchayat in Pudukkottai District in a transparent manner in view of the representation dated 16.04.2018.

6. In the representation dated 16.04.2018, the petitioner has stated that, it is talk in that locality, where the village panchayat is located that, to whom the Minister concerned makes recommendation alone will be appointed. Therefore, instead of making such appointment on any such out of law considerations, the appointment shall be made on merits and in accordance with law.

7. It goes without saying that selection and appointment in any public employment shall be made only in accordance with law and on merits and not on any other consideration. Therefore, for the said purpose, this Court need not give any mandamus. Therefore, this writ petition does not require any consideration for giving such mandamus as the petitioner has prayed for herein. Hence, it deserves to be dismissed at the admission stage.

8. Therefore, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Office of the Collectorate,
Pudukkottai, Pudukkottai District.
2. The Special Officer cum Block Development Officer,
Block Development Office,
Thiruvarangulam Post,
Alangudi Taluk, Pudukkottai District.

+1cc to The Special Government Pleader in Sr.No. 64248

+1cc to Mr.V.Selva, Advocate in Sr.No.63916

ARUL

AE/SV MMS/SAR1/2P/5C/18/05/2018

W.P(MD)No.9151 of 2018

26.04.2018