



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.09.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.A.[MD].No.1086 of 2018
and
C.M.P. (MD) .No.7773 of 2018
in
W.P. (MD) .No.19696 of 2014

- 1.The District Collector,
Collectorate Office,
Sivagangai District.
- 2.The District Employment Officer,
Office of the District Employment Officer,
Sivagangai, Sivagangai District.
- 3.The Tahsildar,
Ilayankudi, Sivagangai District. : Appellants/Respondents 1to3

Vs.

- 1.N.Udayappan : 1st Respondent/Writ Petitioner
- 2.Jaya Lakshmi : 2nd Respondent/4th Respondent

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 05.03.2018 made in W.P.(MD).No.19696 of 2014, on the file of this Court.

Prayer in WP(MD). 19696/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the 3rd respondent to appoint the petitioner as Village Assistant at Vijayankudi Revenue Village taking into account of the petitioner's Employment seniority and other qualifications and in the light of the interview call letter dated 16.06.2014 issued by the 3rd respondent within the period that may be stipulated by this Honourable Court.

For Appellant : Mr.A.K.Baskarapandian
Special Government Pleader
For respondent No.1 : Mr.C.Venkatesh Kumar
For Respondent No.2 : No Appearance



JUDGMENT

[Judgment of the Court was delivered by M.M.SUNDRESH, J.]

Challenge in this Writ Appeal is to the order 05.03.2018 made in W.P. (MD).No.19696 of 2014.

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2. The learned Special Government Pleader appearing for the appellants would submit that the order of the learned Single Judge requires interference, since the earlier interview was cancelled on the ground that the roster was not followed.

3. We are of the view that the same cannot be a ground to assail the order, since such a plea has never been taken before the learned Single Judge. In such view of the matter, while dismissing the Writ Appeal, we give liberty to the appellants to file a Review Application, within a period of three weeks from the date of receipt of a copy of this Judgment. As and when such Review Application is filed, the Registry is directed to number it without asking the appellants to file an application seeking to condone the delay. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS-IV)

NB

To

- 1.The District Collector,
Collectorate Office,
Sivagangai District.
- 2.The District Employment Officer,
Office of the District Employment Officer,
Sivagangai, Sivagangai District.
- 3.The Tahsildar,
Ilayankudi, Sivagangai District.

Copy to

The Registrar (judicial),
Madurai Bench of Madras High Court,
Madurai.

+1cc to M/S.Ajmal Associates, Advocate in SR No.82394

+1cc to The Spl Government Pleader, SR No.83053

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NM/RP/SAR IV/12.11.18/2P/7C