



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2018

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD)No.17658 of 2013

P.Murugesan

... Petitioner

Vs.

1.The District Collector,
Karur District,
Karur.

2.The Tahsildar,
Kulithalai,
Karur District.

... Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 2nd respondent to appoint the petitioner for the post of the Office Assistant to the Village Administrative Officers in the village panchayath.

For Petitioner
For Respondents

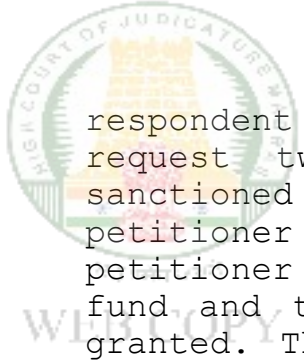
: Mr.J.Sivaram
: Mr.M.Muthu
Additional Government Pleader

ORDER

The relief sought for in this writ petition is for a direction to the second respondent to appoint the petitioner to the post of Village Assistant.

2.The writ petitioner claims that he was released from the bonded labourers group by the second respondent on 01.09.2001 and therefore, he must be placed under the special category and accordingly an appointment to the post of village Assistant to be provided to him. The petitioner claims for an appointment for the post of Village Assistant.

3.The learned Additional Government Pleader appearing on behalf of the respondents states that the petitioner was renewing community certificate before the employment exchange and it is not known to the respondent. The writ petitioner submitted an application on 16.04.2001, stating that he was working as bonded labour for about 8 years and performing the duties of Jim cutting under one Marudhamuthu S/o Ramasamy Pandaram of Poolangulathupatti of Sriirangam taluk, Trichy District. The petitioner was released in proceedings dated 03.09.2001 and was paid Rs.1,000/- by the second



respondent on 07.12.2001 as part relief fund immediately and on his request two cows worth about Rs.18,000/- with insurance was sanctioned from the bonded labourer relief fund. Thus, the writ petitioner cannot be placed under the special category. The writ petitioner has availed the benefits under the bonded labourer relief fund and therefore, appointment to the Government Post cannot be granted. The writ petitioner should participate in the process of selection.

4.Further, it is stated that the appointment to the post of Village Assistant is to be made as per the rules in force and the District Collector in proceedings dated 16.02.2012 issued a notification to fill up the vacancy of Village Assistant and called for the list of eligible candidates from the employment exchange on 10.07.2012 and the same was communicated by the employment exchange on 11.09.2012. The interview was conducted as per G.O.M.S.No.142 dated 14.10.2009 and accordingly suitable persons were selected and appointment order has also been issued. Thus, there is no question of considering the case of the writ petitioner under the special category and he had already availed the Government benefits in respect of his release from the bonded labourers.

5.This being the factum, the relief as such sought for by the writ petitioner in this writ petition cannot be granted. Accordingly, this writ petition stands dismissed. However, no order as to costs.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Karur District, Karur.

2.The Tahsildar,
Kulithalai,
Karur District.

+1cc to Special Government Pleader, SR.No. 50952

W.P. (MD) No.17658 of 2013
21.02.2018

VSG/TA

JM/GT/SAR 4/12.03.2018/2P/4C

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