

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.26327 of 2018

K.Kavinilavu

... Petitioner

Vs.

1.The District Collector,
Villupuram District,
Villupuram.

2.The Tahsildar
Villupuram Taluk,
Villupuram.

3.The Village Administrative Officer,
Kallapattu Village and Post,
Valavanur (Via),
Villupuram Taluk,
Villupuram District, Pin-605 108.

4.Tmt.Udayakumari

... Respondents

Prayer:Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider the representation, dated 20.08.2018, regarding irregular appointment of Tmt.Udayakumari as Village Assistant and appoint me as Village Assistant.

For Petitioner : Mr.K.Govindaraj

For Respondents: Ms.R.Janaki

Additional Government Pleader

ORDER

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus directing the first respondent to consider the representation, dated 20.08.2018, regarding irregular appointment of Tmt.Udayakumari as Village Assistant and to appoint the petitioner as Village Assistant.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader.

3.The case of the petitioner is that the petitioner is a native of Kallapattu Village, Villupuram Taluk and he belong to Scheduled Caste Community. The petitioner applied for the post of Village Assistant in Villupuram Taluk and participated in the interview conducted on 16.05.2018 and also produced the necessary documents and was under the belief that he would be selected. However, to his shock, one Udayakumari who is a resident of Kandamanadi Village was appointed as Village Assistant for Kallapattu Village. In this regard, the petitioner made representation dated 30.07.2018 to the Tahsildar, Villupuram, and since there was no response, he made representation dated 20.08.2018 to the District Collector, Villupuram, and since the same has not yet been considered, the petitioner has come forward with this writ petition.

4.The learned counsel appearing for the petitioner would submit that the respondents have illegally appointed one Udayakumari who is a resident of Kandamanadi Village as Village Assistant for Kallapattu Village and would further submit that Kandamanadi Village is far away from Kallapattu Village.

5.The present writ petition has been filed for Writ of Mandamus directing the first respondent to consider the representation dated 20.08.2018. Without challenging the appointment order of the said Udayakumari, the petitioner made representation to cancel the appointment of the said Udayakumari. Unless the petitioner file writ petition challenging the appointment of the said Udayakumari, Mandamus cannot be issued.

6.The writ petition is accordingly dismissed. No costs.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

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To

1.The District Collector,
Villupuram District,
Villupuram.

2.The Tahsildar
Villupuram Taluk,
Villupuram.

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3.The Village Administrative Officer,
Kallapattu Village and Post,
Valavanur (Via),
Villupuram Taluk,
Villupuram District, Pin-605 108.

+1 CC to Mr.K.Govindaraj, Advocate sr 85733.
+1 Cc to The Govt. Pleader sr 86059.

W.P.No.26327 of 2018

NRL (CO)
SP(13/11/2019)



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