

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 04.01.2019

CORAM

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P.NOS.34472 OF 2018

A.Aruljothi

.. Petitioner

- Vs -

1. The Tahsildar
Taluk Office, Tittagudi
Cuddalore District.

2. The Revenue Divisional Officer
Vridhachalam, Cuddalore District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the 2nd respondent to consider the appeal petition of the petitioner dated 18.4.2018 with regard to appointment of the petitioner to the post of Village Assistant.

For Petitioner : Mr.G.Elanchezhiyan

For Respondents : Mr.R.S.Selvam, GA

ORDER

The writ petition has been filed by the respective petitioner seeking a direction to the respondents to consider the appeal petition of the petitioner dated 8.4.2018 for appointment as Village Assistant.

2. The Tahsildar, Tittagudi, issued notification on 23.12.2017 inviting application from eligible candidates along with employment exchange registration details for appointment as Village Assistant. Pursuant to the said notification, the petitioner applied for the post of Village Assistant at Iyvanoor Village on 26.12.2017. Interview was conducted on 19.1.2018 in which the petitioner also participated. However, the petitioner was not given postings at Iyvanoor Village, but one Sundararajan, Kilimangalam was appointed in the said village.

3. Vide G.O. Ms. No.521, Revenue Department dated 17.6.1998, for appointment to the post of Village Assistant, one must have

residence within the same village or adjacent village and should have passed 5th standard and be able to ride bicycle. Though the petitioner resides within a radius of 4 Kms., from the said village, however, the said Sundararajan has been appointed in the said post, who resides beyond 4 Kms., from the village. The petitioner is from an economically weaker section of society. Therefore, the petitioner submitted a representation to the 2nd respondent on 12.2.2018. Since no reply was received, an appeal petition was filed by the 2nd respondent on 18.4.2018 praying to set aside the appointment order given to Sundararajan and to appoint the petitioner in the said post. However, no orders have been passed on the said appeal petition and, therefore, left with no alternative, the present petition has been filed.

4. Learned counsel appearing for the petitioners submitted that this Court may direct the respondents to consider the appeal petition submitted by the petitioner and pass appropriate orders within a particular time frame.

5. Mr. R.S.Selvam, learned Government Advocate takes notice for respondents and submit that this Court may direct respondents to consider the appeal petition and pass orders in accordance with law.

6. In view of the limited relief sought for, this Court is of the view that it would be suffice to direct respondents to consider the appeal submitted by the petitioner within a particular time frame.

7. In the above circumstances, this writ petition is disposed of directing respondents to consider the appeal petition dated 18.4.2018, submitted by the petitioner and pass orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs.

सत्यमेव जयते Sd/-

Assistant Registrar(CS III)

//True Copy//

WEB COPY Sub Assistant Registrar

GLN

To

1. The Tahsildar
Taluk Office, Tittagudi
Cuddalore District.

2. The Revenue Divisional Officer
Vridhachalam, Cuddalore District.

+lcc to Mr.G.Elanchezhiyan, Advocate, S.R.No.837
+lcc to the Government Pleader, S.R.No.1462

W.P.NO.34472 OF 2018

SPD (Co)
CS/15/02/2019



WEB COPY