

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 26.07.2019

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CORAM:

THE HONOURABLE DR. JUSTICE VINEET KOTHARI
and
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.A. (MD) Nos.821 to 823 of 2010
against
WP (MD) .Nos.9509,9510 & 9061 of 2010
and
M.P. (MD) Nos.1, 1 & 1 of 2010

W.A. (MD) .No.821 of 2010

S.Lordson Vijayakumar

.. Appellant /Petitioner

-vs-

1. Special Commissioner and
Secretary to Government of Tamil Nadu,
Rural Development Department,
Omanthurar Government Estate,
Anna Salai, Chennai.
2. The Director,
Rural Development Department,
Panagal Park, Saidapet,
Chennai.
3. The District Collector,
Tirunelveli District,
Tirunelveli.
4. The District Employment Officer,
District Employment Office,
Tirunelveli.

... Respondents/ Respondents

W.A. (MD) .No.822 of 2010

P.Gowdul Auklam

.. Appellant / Petitioner

-vs-



1. Special Commissioner and
Secretary to Government of Tamil Nadu,
Rural Development Department,
Omanthurar Government Estate,
Anna Salai, Chennai.

2. The Director,
Rural Development Department,
Panagal Park, Saidapet,
Chennai.

3. The District Collector,
Dindigul District,
Dindigul.

4. The District Employment Officer,
District Employment Office,
Dindigul District.

... Respondents/ Respondents

W.A. (MD).No.823 of 2010

A.Sam Jeba Singh

.. Appellant / Petitioner

-vs-

1. Special Commissioner and
Secretary to Government of Tamil Nadu,
Rural Development Department,
Omanthurar Government Estate,
Anna Salai, Chennai.

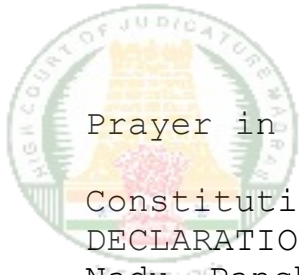
2. The Director,
Rural Development Department,
Panagal Park, Saidapet,
Chennai.

3. The District Collector,
Kanyakumari District,
Kanyakumari.

4. The District Employment Officer,
District Employment Office,
Kanyakumari District.

... Respondents/Respondents

COMMON PRAYER: Writ Appeals have been filed under Clause 15 of Letters Patent, against the common order dated 24.09.2010 passed by a learned Single Judge of this Court.



Prayer in WP(MD).Nos. 9509,9510 & 9061/ 2010 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF DECLARATION, declaring Rule 4(a) of the Special Rules for Tamil Nadu Panchayat Development Engineering Subordinate Service and G.O.Ms.No.96, Rural Development and Panchayat Raj (E3) Department, dated 06-06-2008 as null and void and ultra vires of the Constitution of India and consequently to direct the Respondents No.1-3 to call the petitioner for selection process to the post of Overseer and appoint the petitioner if selected, in the post of Overseer.

For appellant in all
the appeals : Mr.T.Lajapathi Roy

For respondents in all
the appeals : Mr.N.Shanmugaselvam,
Special Government Pleader

COMMON JUDGEMENT

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

The learned counsel appearing on behalf of the appellants made a submission that the appellants have already crossed the age limit for appointment to the post for which they had submitted their applications. That apart, the post is governed by the Special Rules, wherein the age limit is prescribed. This being the factum, no further adjudication needs to be entertained as the appellants have already been over-aged and now the Special Rules are in force, where the age limit is prescribed. Accordingly, these writ appeals stand disposed of as closed. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1. Special Commissioner and
Secretary to Government of Tamil Nadu,
Rural Development Department,
Omanthurar Government Estate,
Anna Salai, Chennai.



2. The Director,
Rural Development Department,
Panagal Park, Saidapet,
Chennai.

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3. The District Collector,
Tirunelveli District,
Tirunelveli.

4. The District Employment Officer,
District Employment Office,
Tirunelveli.

5. The District Collector,
Dindigul District,
Dindigul.

6. The District Employment Officer,
District Employment Office,
Dindigul District.

7. The District Collector,
Kanyakumari District,
Kanyakumari.

8. The District Employment Officer,
District Employment Office,
Kanyakumari District.

W.A. (MD) Nos.821 to 823 of 2010
26.07.2019

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