



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.(MD)No.19306 of 2013

and

M.P.(MD).No.1 of 2013

C.Arokyadoss

... Petitioner

Vs.

1.The Treasury Officer,
Thanjavur District Treasury Office,
Thanjavur.

2.K.Murugeswari

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records of the first respondent relating to his order in Sa.Mu.Aa.No.13936/2006/A1 dated 05.06.2013 and quash the same and directing the first respondent to appoint the petitioner as the Office Assistant (General Category) in the first respondent's good office.

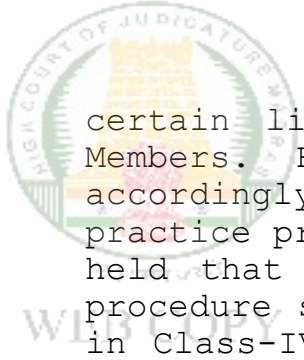
For Petitioner	: Mr.B.Ananan
For R1	: Mr.D.Muruganantham
	Additional Government Pleader
For R2	:No appearance

ORDER

The relief sought for in the present writ petition is to quash the selection of the second respondent to the post of Office Assistant in proceeding, dated 05.06.2013 and direct the first respondent to appoint the writ petitioner as Office Assistant.

2.The learned counsel for the writ petitioner states that the method of selection conducted was improper and no transparent procedure was followed for the purpose of selecting of the second respondent for appointment to the post of Office Assistant.

3.This Court is of the opinion that at this length of time, the Court cannot go into the marks awarded by the Selection Committee and only in the event of any malpractice, illegality or corrupt activities, the Court can interfere with the process of selection and not otherwise. However, the writ petitioner states that only



certain limited questions were asked by the Selection Committee Members. Based on such questions, a decision was taken and accordingly, the second respondent was appointed. This was a practice prevailing earlier and this Court also on several occasions held that such a procedure should be modified and a transparent procedure should be adopted for the purpose of filling up the post in Class-IV services. This being the factum, the second respondent has already joined the service and working in the post more than six years. Under these circumstances, the issues settled need not unsettled at this length of time and even at the time of filing of the writ petition, the writ petitioner was aged about 41 years and now, he would be around 47 years. This being the factum, no further adjudication is required in this writ petition.

4. With the above observations, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar

To

The Treasury Officer,
Thanjavur District Treasury Office,
Thanjavur.

+1 CC to M/s.B.ANANDAN, Advocate (SR-80506[F] dated 08/08/2019)

+1 CC to M/s.SPL GP (SR-80779[F] dated 08/08/2019)

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MS/06.09.2019/2P.4C