



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 26.06.2019
CORAM
THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WEB COPY

W.P[MD]No.1433 of 2015
and
M.P. [MD]Nos.2 & 3 of 2015

S.Sankar

... Petitioner

Vs.

1.The District Collector,
Tuticorin District,
Tuticorin.

2.The Commissioner,
Tiruchendur Panchayat Union,
Tiruchendur,
Tuticorin District.

3.The Block Development Officer (Block Panchayat),
Tiruchendur,
Tuticorin District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the entire records relating to the impugned order passed by the third respondent vide his proceedings in A1/29/2014 dated 08.12.2014 and quash the same as illegal and consequently direct the respondents to consider the petitioner's candidature and appoint the petitioner in the post of driver on permanent basis, which is existing as vacant in the second respondent's panchayat union.

For Petitioners : Mr.V.Natarajan

For Respondents : Mr.D.Muruganantham
Additional Government Pleader

O R D E R

The relief sought for in the present writ petition is for quashing the order of the third respondent vide proceedings dated 08.12.2014, rejecting the claim of the writ petitioner for appointment to the post of Jeep Driver.

2.The writ petitioner was appointed as Driver on temporary basis in the year 2012. The writ petitioner was drawing daily wages from the Panchayat Union. The regular vacancy arose and the process of selection was conducted. The writ petitioner had not even



participated in the process of selection. Now, the present writ petition is filed only on the ground that the writ petitioner was engaged as a daily wage Driver and therefore, he must be appointed in the regular sanctioned post of Driver. When the recruitment notification was issued, the writ petitioner has not participated in the process of selection.

3.This being the factum, after filling up of the post by way of regular selection process, the writ petitioner cannot seek appointment in the sanctioned post as Driver. In view of the fact that the writ petitioner had not even participated in the process of selection, he has no *locus standi* to claim appointment in the sanctioned post. Accordingly, the Writ Petition is devoid of merits and hence, dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS-)

MR

To

1.The District Collector,
Tuticorin District,
Tuticorin.

2.The Commissioner,
Tiruchendur Panchayat Union,
Tiruchendur,
Tuticorim District.

3.The Block Development Officer (Block Panchayat),
Tiruchendur,
Tuticorin District.

+1 CC to M/s.V.NATARAJAN, Advocate (SR-71877[F] dated 27/06/2019)

+1 CC to M/s.SPL GP (SR-72035[F] dated 27/06/2019)

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