



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2019

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P(MD)No.20533 of 2015

and

M.P(MD)Nos.1 & 2 of 2015

Anand

... Petitioner

Vs

1.The District Collector,
Pudukkottai District.

2.The District Employment Officer,
Pudukkottai,
Pudukkottai District.

3.The Revenue Divisional Officer,
Illuppur,
Pudukkottai District.

4.The Tahsildar,
Taluk Office,
Ponnamaravathi,
Pudukkottai District.

5.Muthulakshmi

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records relating to the order of the fourth respondent dated 13.11.2015 in his Na.Ka.No.A2/6222/2015-16 and quash the same and directing the respondents 1 to 4 to appoint the petitioner to the post of Village Assistant in Govanur Sundaram Group Village, Ponnamaravathi Taluk, Pudukkottai District.

For Petitioner

:Mr.R.P.Ramachanthiran

For R1 to R4

:Mr.S.Dhayalan

Government Advocate

For R5

: No appearance

**ORDER**

The appointment of the fifth respondent as Village Assistant is under challenge in the present writ petition.

2. The learned counsel appearing for the petitioner states that the name of the writ petitioner was sponsored by the Second respondent for selection and appointment to the posts of Village Assistant in Govanur Sundaram Group Village. The interview was conducted on 19.10.2015 and near about 8 candidates participated in the process of interview.

3. The learned Government Advocate appearing for the respondents 1 to 4 brought to the notice of this Court that the process of interview was conducted by following the rules in force. Merit assessments were made by the Committee Constituted for the purpose of conducting interview. Accordingly, marks were granted and the age, educational qualifications, merit and other criteria were followed for the purpose of selection.

4. Merit assessment made by the Selection Committee cannot be interfered with by the High Court. The judicial Review against the merit assessment made by the selection committee can be quashed if it is established that there is a malpractices, illegal or corrupt activity and not otherwise. Thus, the process of selection and assessment made by the Interview Committee is to be accepted by the courts in normal circumstances. When it is brought to the notice of this Court, the merit assessment were made by the interview committee and the fifth respondent was appointed subsequently. Thus, in the absence of any allegations regarding the corrupt activities or malpractices, appointment made in favour of the fifth respondent cannot be interfered. However, no allegations are established in the writ petition and under these circumstances, this Court is not inclined to consider the prayer as such sought for in this present writ petition.

5. This apart, the fifth respondent is already serving as Village Assistant for the past five years and therefore, the appointment made cannot be disturbed at this length of time. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)



To

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Taluk Office,
Ponnamaravathi,
Pudukkottai District.

+1cc to M/S SPECIAL GOVERNMENT PLEADER, Sr.No.70680

W.P(MD)No.20533 of 2015
20.06.2019

BUC (03/07/2019) 3P/6C