

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 11.07.2019****CORAM:****WEB COPY****THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM****W.P. (MD) No.20068 of 2015**

S.Thiyagarajan

... Petitioner

-Vs-

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.

3.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.

4.Sathya

5.Ramesh Kumar

...Respondents

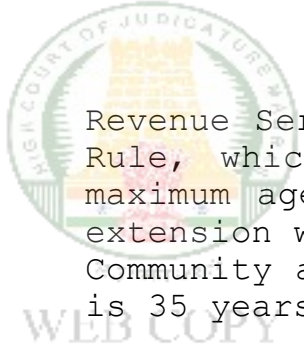
Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the the respondents 1 to 3 to appoint the petitioner as Village Assistant in Aranthangi Taluk, Pudukkottai.

For Petitioners : Mr.K.Baalasundharam
For R1 to R3 : Mr.K.Mu.Muthu
Additional Government Pleader
For R4 & R5 : No appearance

ORDER

The relief sought for in the present writ petition is for a direction to direct the respondent Nos.1 to 3 to appoint the petitioner as Village Assistant in Aranthangi Taluk, Pudukkottai District.

2.The learned counsel appearing for the writ petitioner states that the process of selection was conducted improperly, without considering the petitioner for appointment to the post of Village Assistant. The learned counsel for the petitioner further states that the Government granted age relaxation, in respect of the post where the minimum qualification is fixed less than 5th standard. Such a General Order passed cannot supersede the Special Rules applicable to a particular post. The Special Rules for the post of Tamil Nadu Village Assistant, are issued in G.O.Ms.No.521,



Revenue Ser.VII(2) Department, dated 17.06.1998. As per the Special Rule, which is applicable to the post of Village Assistant, the maximum age limit prescribed for the post is 30 years and 5 years extension was granted to the candidates belong to the Schedule Caste Community and Schedule Tribe Community. Thus, the maximum age limit is 35 years for appointment to the post of Village Assistant.

3.The learned Additional Government Pleader appearing on behalf of the respondent Nos.1 to 3 has brought to the notice of this Court that even at the time of participating the process of selection, the writ petitioner was aged about 37 years 3 months and 27 days. Therefore, he was not even eligible to participate in the process of selection.

4.This Court is of the considered opinion that the writ petitioner was not eligible for appointment with reference to the Special Rules for the post of Village Assistant. The writ petitioner was over aged even at the time of process of selection. Thus, the relief as such sought for to consider the writ petitioner for appointment to the post of Village Assistant, cannot be granted.

5.With the above observation, this writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Revenue Divisional Officer,
Aranthangi,
Pudukkottai District.

3.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.

+1 CC to M/s.K.BAALASUNDHARAM, Advocate (SR-74835[F] dated 11/07/2019)

+1 CC to M/s.SPL GP (SR-75044[F] dated 12/07/2019)

W.P. (MD) No.20068 of 2015

11.07.2019