



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD) No.2080 of 2016

S.Kuttisamy

... Petitioner

-Vs-

1.The State of Tamil Nadu,
Represented by the Secretary,
Revenue Department,
Fort St. George, Chennai.

2.The District Collector,
Collectorate, Tirunelveli,
Tirunelveli District.

3.The Tahsildar,
Sengkottai Taluk,
Taluk Office,
Palayamkottai, Tirunelveli District.

... Respondents

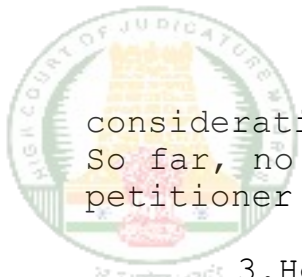
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner for appointment to the post of Village Assistant in the available vacancies by relaxing the age limit by taking note of the temporary service rendered by the petitioner within the time stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondents : Mr.S.Dhayalan,
Government Advocate.

ORDER

According to the writ petitioner, he worked as Village Assistant at Sengkottai Taluk from 18.02.1993 for a period of three months and from 01.06.1993 to 31.08.1993 on temporary basis. After that, he was not engaged and not given any appointment. On the representation given by the writ petitioner, the third respondent by proceeding dated 11.05.2012 informed the writ petitioner that there is no vacancy in the post of Village Assistant and if the writ petitioner's name is sponsored through employment exchange on priority basis, the same would be considered.

2.The writ petitioner made representations dated 24.02.2014, 07.03.2015 and 16.04.2015 to the Revenue Divisional Officer to appoint him as Village Assistant by relaxing his age and taking into



consideration of temporary services rendered by the writ petitioner. So far, no order was passed on the representations. Hence, the writ petitioner has come out with this Writ Petition.

3. Heard Mr.T.Lajapathi Roy, learned counsel appearing on behalf of the writ petitioner and Mr.S.Dhalayan, learned Government Advocate appearing on behalf of the respondents.

4. From the materials on record, it is seen that the writ petitioner had worked only for six months during the year 1993 on temporary basis. After that, the writ petitioner was not worked as Village Assistant even on temporary basis. The third respondent in the year 2012 itself informed the writ petitioner that if his name is sponsored through employment exchange on priority basis, his case will be considered. However, till date, his name was not sponsored through employment exchange. The writ petitioner has crossed upper age limit for appointment to the post of Village Assistant. The writ petitioner has not made out any acceptable legal ground for relaxing the age limit to appoint him as Village Assistant.

5. For the above reasons, this Writ Petition stands dismissed. No costs.

Sd/-
Assistant Registrar(CS-III)

/TRUE COPY/

Sub Assistant Registrar

To

1. The Secretary,
State of Tamil Nadu,
Revenue Department,
Fort St. George, Chennai.
2. The District Collector,
Collectorate, Tirunelveli,
Tirunelveli District.
3. The Tahsildar,
Sengkottai Taluk,
Taluk Office,
Palayamkottai, Tirunelveli District.

+1 CC to M/s.T.LAJAPATHIROY, Advocate SR-85277
+1 CC to M/s.SPL GP (SR-85332[F] dated 05/09/2019)

W.P. (MD)No.2080 of 2016
04.09.2019

myr

JM/19.09.2019/2P/6C