

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2020

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.25049 of 2016

And

W.M.P.Nos.21472 to 21474 of 2016

M.Ranganathan

... Petitioner

Vs.

1.The Commissioner of Municipal Administration,
Chepauk, Chennai – 600 005.

2.The Regional Director of Municipal Administration,
Tiruppur District.

3.The Commissioner,
Mettupalayam Municipality,
Mettupalayam.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records connected with the proceedings issued in Na.Ka.No.3439/2012/C1 dated 03.06.2016 passed by the third respondent (published in "Makkal Kural" Newspaper dated 06.06.2016) and quash the same and consequently direct the third respondent to appoint the petitioner for the post of Bill Collector.

For Petitioner : Ms.S.Varsha
For Respondents : Mr.S.Thangavel for R1 and R2
Special Government Pleader
Mr.B.Anand for R3

ORDER

This petition has been filed seeking issuance of Writ of Certiorarified Mandamus to call for the records connected with the proceedings issued in Na.Ka.No.3439/2012/C1 dated 03.06.2016 passed by the third respondent (published in "Makkal Kural" Newspaper dated 06.06.2016) and to quash the same and to consequently direct the third respondent to appoint the petitioner for the post of Bill Collector.

2.The case of the petitioner is that the petitioner after completing SSLC enrolled his name in the Employment Exchange on 11.06.2004 and after completing his Graduation in Science Computer/ Information Technology his registration number was changed and the date of registration has been mentioned as 25.03.2012. The petitioner belong to SC (Arunthathiar) Community. The grievance of the petitioner is that, without following the employment seniority, the third respondents has given paper publication for appointment for the post of Bill Collector.

3.The learned counsel appearing for the petitioner would submit that without following the employment seniority, the third respondent has issued the impugned paper publication, which is non est in law.

4.The learned counsel appearing for the third respondent submitted that in the selection process, 50% of the vacancy is to be filled up from the candidates sponsored through Employment Exchange and 50% of the vacancy is to be filled up by open challenge. Hence, the third respondent rightly issued the paper publication. He would further submit that the on seeing the paper publication, the petitioner also applied for the said post, however, without participating in the selection process, the petitioner has filed this writ petition.

5.At this juncture, the learned counsel appearing for the petitioner requested that this Court may permit the petitioner to participate in the selection process and thereafter, the respondents may issue appointment orders.

6.Heard the arguments advanced on either side and perused the materials available on record.

7.Considering the submissions made on either side, the petitioner is permitted to participate in the selection process and thereafter, the respondents shall issue appointment orders to the meritorious candidate, in accordance with law and relevant rules.

8.As per the order of this Court dated 11.11.2020, the third respondent appeared before this Court today. The further appearance of the third respondent is dispensed with.

9.This writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

30.11.2020

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Speaking Order/ Non Speaking Order
Index: Yes/ No Internet: Yes/ No

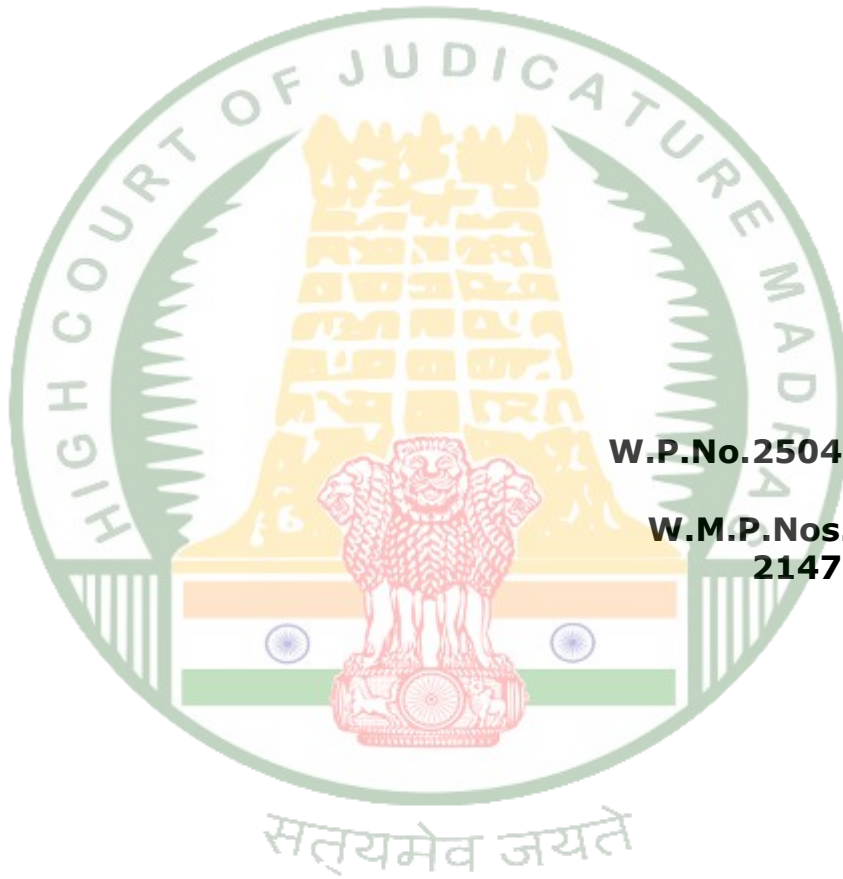
To

- 1.The Commissioner of Municipal Administration,
Chepauk, Chennai – 600 005.
- 2.The Regional Director of Municipal Administration,
Tiruppur District.
- 3.The Commissioner,
Mettupalayam Municipality,
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M.DHANDAPANI,J.
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