

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.10.2020

CORAM

THE HONOURABLE Mr. JUSTICE P.VELMURUGAN

W.P.No.14610 of 2020

and

W.P.M.P.No.18116 of 2020

S.Varadarajan

...Petitioner

Versus

1. The District Collector,
Nagapattinam.
2. The Revenue Divisional Officer,
Mayiladuthurai,
Nagapattinam District.
3. The Block Development Officer (Village Panchayat),
Mayiladuthurai Block and Taluk,
Nagapattinam District. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus to call for the records of the 3rd respondent in his proceedings Na.Ka.No.402/20/Aa1 dated 1.10.2020 and quash the same and further directing the respondents to consider the application of the petitioner for recruitment to the post of Village Panchayat Secretary as per notification of 3rd respondent dated 8.11.2019 in his proceedings Na.Ka.No.1167/2018/Aa1.

For Petitioner : Mr.S.Sounthar

For Respondents : Mr.V.Kadhirvelu

Special Government Pleader

O R D E R

Mr.V.Kadhirvelu, learned Special Government Pleader takes notice for the respondents. By consent of both the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner has come forward with this writ petition to quash the proceedings dated 1.10.2020 and consequently, direct the respondents to consider the application of the petitioner for recruitment to the post of Village Panchayat Secretary.

3. The case of the petitioner is that the petitioner has applied for the post of Village Panchayat Secretary in Pandaravadai Mappadugai Village, Mayiladuthurai Taluk as per the notification of the third respondent dated 08.11.2019. It is stated in the notification that the said vacancy has been notified as open category post and the same was filled up as per communal roaster. Further, the upper age limit for BC, MBC, SC, and ST candidates is 35 years and for other categories is 30 years. The petitioner belongs to Most Backward Caste. Since the petitioner is aged about 34 years, he applied under general category. However, the 3rd respondent passed the present impugned order dated 01.10.2020, rejecting the application of the petitioner on the ground that he is not entitled to apply under general category, since he is beyond 30 years. Challenging the same, the present writ petition has been filed.

4. The learned Special Government Pleader appearing for the respondents would submit that the age limit for the general category is 18 to 30 years, however, the petitioner is beyond 30 years. Hence, the 3rd respondent has rightly rejected the application of the petitioner and therefore, no interference is required by this Court in this petition.

5. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents and perused the materials available on record.

6. Admittedly, as per notification dated 08.11.2019, the age limit for general category is 18 to 30 years and other category is 35 years and the educational qualification for the said post is S.S.L.C. It is not in dispute that the age of the petitioner during filing of the application is 34 years. It is also not in dispute that the petitioner belonged to Most Backward Category. Whereas in this case, the petitioner is aged about 34 years and hence, he is not entitled to apply under general category. Hence, the third respondent has rightly rejected the application of the petitioner and there is no perversity in the rejection. Under these circumstances, this Court is not inclined to interfere with the impugned proceedings passed by the 3rd respondent. Accordingly, this Writ Petition is dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ms
To

1.The District Collector,
Nagapattinam.

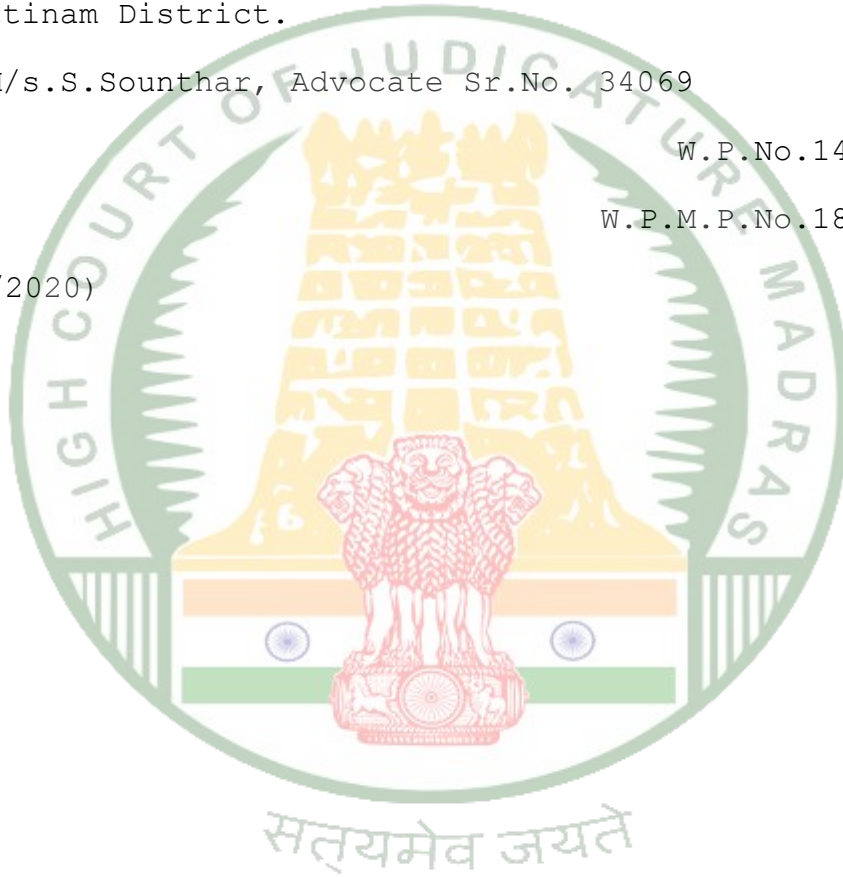
2.The Revenue Divisional Officer,
Mayiladuthurai,
Nagapattinam District.

3.The Block Development Officer (Village Panchayat),
Mayiladuthurai Block and Taluk,
Nagapattinam District.

+1 cc to M/s.S.Sounthar, Advocate Sr.No. 34069

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RSI (CO)
RMP (10/11/2020)



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