



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.02.2020

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**THE HONOURABLE MR.JUSTICE M.DURAISWAMY
AND
THE HONOURABLE MR.JUSTICE T.RAVINDRAN**

W.A(MD)No.298 of 2020

T.Mariappan

... Appellant/
Writ Petitioner

Vs.

1.The Commissioner,
Puliyangudi Municipality,
Tirunelveli District.

2.The Chairman,
Puliyangudi Municipality,
Puliyangudi,
Sivagiri Taluk,
Tirunelveli District.

3.D.Johnsy Rani

... Respondents

Prayer : Appeal filed under Clause 15 of the Letters Patent, against the order passed by this Court in W.P(MD)No.17291 of 2014, dated 12.12.2019.

Prayer in WP(MD). 17291/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Certiorarified Mandamus, calling for the records of the Impugned Order of the 1st respondetn in Na.Ka. No. 209/2013/C1 dated 16.09.2013 to quash the same and consequently direct the 1st respondent to appoint the petitioner as Revenue Assistant in BC-GL Priority Category in pursuance to the certificate verification held on 18.07.2013.

For Appellant : Mr.S.P.Vijay Nivas

For Respondents : Mr.M.Rajarajan
Government Advocate
for R.1 & R.2



JUDGMENT

[Judgment of the Court was delivered by **M.DURAISWAMY, J.**]

Challenging the order passed in W.P.(MD)No.17291 of 2014, dated 12.12.2019, the writ petitioner has filed the above Writ Appeal. The appellant filed the writ petition in W.P.(MD)No.17291 of 201 to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the first respondent dated 16.09.2013 and quash the same and consequently directing the first respondent to appoint him as Revenue Assistant in the BC-GL priority category in pursuance to the certificate verification held on 18.07.2013.

2. It is the case of the appellant that he registered with the Employment Exchange prior to the third respondent and therefore, he should have been selected in the place of the third respondent.

3. The learned Single Judge, taking into consideration the case of both parties, dismissed the writ petition finding that merely because the petitioner as a senior candidate in the Employment Exchange in registration, cannot be given any priority in selection to the post. Further the selection was conducted only on merit basis and the Selection Committee found the third respondent more suitable for the post than the petitioner. In these circumstances, the learned Single Judge rightly dismissed the writ petition. We do not find any error or irregularity in the order passed by the learned Single Judge. The Writ Appeal is devoid of merits and the same is dismissed. There shall be no order as to costs.

Sd/-

Assistant Registrar (Writs)

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/ /2020

Sub Assistant Registrar(CS)

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+2 CC to M/s.SP.VIJAYNIVAS, Advocate (SR-9167[F] dated 28/02/2020)

+1 CC to M/s.M.RAJARAJAN, Advocate (SR-9301[F] dated 28/02/2020)

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