



WEB COPY

W.P.(MD)No.12166 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.09.2020

CORAM

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN

and

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

W.P. (MD)No.12166 of 2020

(Through Video conferencing)

S.Kandan

...Petitioner

-Vs-

1.The District Collector
Tuticorin District.

2.The Assistant Director of Panchayath
Collectorate
Tirunelveli.

3.The Executive Officer
Thenthiruperai Town Panchayath
Thenthiruperai.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to follow the mandatory conditions mentioned in the notification in Na.Ka.No.3783/2019/Pa4 dated 03.08.2020 in the case of appointment of Office Assistant and Sweeper Posts in the 3rd respondent Town Panchayath by considering the representation dated 14.09.2020 of the petitioner in accordance with law.

For Petitioner : Mr.S.Siva Thilakar
For Respondents : Mr.M.Muthu Geethaiyan,
Special Govt. Pleader for R1

ORDER

[Order of the Court was made by **M. SATHYANARAYANAN, J.,**]

The petitioner claims to be a public interest litigant and admittedly he is a non-participant in respect of the selection process being done by the second respondent to the posts of Office Assistant and Sweeper.

2. The learned counsel appearing for the petitioner has drawn the attention of this Court to the notice of the second respondent dated 03.08.2020 and would submit that though the notification says the applications are invited only from the local area candidates, the persons who are hailing from outside the local area had also applied to the said posts and the representation submitted in this



regard, has failed to invoke any kind of response and therefore, he is constrained to approach this Court by filing this writ petition styled as a public interest litigation.

3. Mr.M.Muthugeethaiyan, learned Special Government Pleader accepts note on behalf of the first respondent.

4. Admittedly, the petitioner is a non-participant and if at all any persons aggrieved, it would be the participants, who are participating in the selection process in pursuant to the notification dated 03.08.2020 issued by the second respondent. The matter in issue also borders upon the service jurisprudence and in the light of the fact that the petitioner is a non-participant, he is lacking *locus standi* to file this writ petition as a public interest litigation.

5. In the result, this writ petition is dismissed as not maintainable. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Vsm

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector
Tuticorin District.

2.The Assistant Director of Panchayath
Collectorate
Tirunelveli.

3.The Executive Officer
Thenthiruperai Town Panchayath
Thenthiruperai.

+1 CC to Mr.S. SIVATHILAKAR, Advocate (SR-17652[F]dated
22/09/2020)

+1 CC to SPL GP (SR-17704[F] dated 22/09/2020)

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