

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 03.02.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.16747 of 2020
(Heard through VC)

P.Dinakaran

... Petitioner

-vs-

- 1.State of Tamil Nadu,
Rep. by the Secretary to Government,
Revenue Administration,
Fort St. George,
Chennai - 600 009.
 - 2.The District Collector,
O/o. The District Collectorate,
Thirupathur,
Thirupathur District.
 - 3.The Sub Collector,
O/o. The Sub Collector,
Thirupathur Taluk,
Thirupathur District.
 - 4.The Tahsildar,
O/o. The Tahsildar,
Natrampalli,
Tirupathur District.
 - 5.The Village Administrative Officer,
O/o.Mookkanur Village Administrative Office,
Mookkanur,
Natrampalli Taluk,
Thirupathur District.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 26.09.2020.

For Petitioner : Ms.Kalaiarasi
For Mr.C.S.Vijayakumar

For Respondents : Mr.J.Pothiraj
Special Government Pleader

O R D E R

The petitioner has come forward with this writ petition, seeking a direction to the respondents to consider the petitioner's representation dated 26.09.2020.

2. According to the petitioner, a paper advertisement dated 21.05.2018 has been published to fill up the vacancies to the post of Village Assistant in four Villages, namely, Thoppalakunda, Kathari, Chandrapuram and Mookkanoor. The petitioner applied for the same and he was called for an interview. Though he had attended the interview held on 24.01.2019, the results have not been published in any newspaper or Government Notifications. Hence, he made a representation dated 26.09.2020 to the respondents 2 to 5 requesting to inform about the results of the interview that was held on 24.01.2019. But, till date there is no response from the respondents. Hence, this petition.

3. According to the respondents, in the said publication it was mentioned that the Village Assistant posts have to be filled up as per the roster by rotation. As per such roster rotation, the post of Village Assistant has to be filled up in Mookkanur Village by Scheduled Caste and destitute Widow and the place is meant for women candidates. It was also specifically mentioned the age limit as 21 years to 30 years for General candidates and 21 to 35 years for other categories, namely, SC/ST/MBC/BC. According to the respondents, the petitioner was not eligible apart from the fact that he is not a female candidate but he was also 39 years old on the date of interview.

4. Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.

5. It has been contended by the learned counsel for the petitioner that there is an age relaxation for SC/ST candidates upto 5 years. Hence, those, who are upto 42 years of age are entitled to be considered for the notified vacancies. Taking note of the fact that the post is reserved for Scheduled Caste destitute widow, the petitioner was not considered for appointment as Village Assistant even though he was called for an interview and according to the respondents, the petitioner

was informed about the reasons there for. Even though it has been argued by the learned counsel for the petitioner that the petitioner was not informed on the date of interview about the fact that the post is meant for destitute widow and there has been appointment as per the roster by rotation, the petitioner will not be entitled to the relief as sought for.

6. Though the petitioner has come forward with the above prayer that the representation has got to be considered, in the light of the submissions made by the respondents in the counter, the purpose of disposal of the writ petition is not going to give any relief to the petitioner, as the petitioner was ineligible to be appointed as Village Assistant in Mookkanur Village.

7. I find no merits in the relief sought for by the petitioner and hence the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

rsi
To

1.The Secretary to Government,
Revenue Administration,
Fort St. George,
Chennai - 600 009.

2.The District Collector,
O/o. The District Collectorate,
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Thirupathur District.

3.The Sub Collector,
O/o. The Sub Collector,
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5.The Village Administrative Officer,
O/o.Mookkanur Village Administrative Office,
Mookkanur,
Natrampalli Taluk,
Thirupathur District.

+1cc to M/s.C.S.Vijayakumar, Advocate Sr.6368
+1cc to the Government Pleader Sr.5932

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srg 16/03/2021



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