



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) .No.2250 of 2021

G.Thayananth

... Petitioner

Vs.

1.The Director,
Rural Development and Panchayat Raj,
Directorate of Rural Development and Panchayat Raj
Department
Panagal Building,
Chennai - 600 015.

2.The Deputy Director,
Rural Development and Panchayat Raj,
O/o. The Deputy Director,
Nagercoil,
Kanniyakumari District.

3.The District Collector,
Collectorate,
Nagercoil,
Kanniyakumari District.

4.The Commissioner,
Panchayat Union,
Kurunthencode,
Kanniyakumari District.

... Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus, directing the 1st Respondent to pass an order that the selection process of the 4th Respondent Department to be conducted under the supervision of the 3rd Respondent and consequently direct the 4th respondent to conduct the selection process under the surveillance of video recording of the entire process for filling up the vacancies to the posts as mentioned in his notification in Na.Ka.No.A1/083/2021, dated 12/01/2021, on the basis of the Petitioner's representation, dated 28/01/2021.

For Petitioner	: Mr.B.N.Raja Mohamed
For Respondent	: Mr.S.Dayalan, for R1 to R3
	Government Advocate
	Mr.M.Thilagar for R4
	Government Advocate



O R D E R

Heard Mr.B.N.Raja Mohamed, learned counsel for the petitioner, Mr.S.Dayalan, learned Government Advocate, for the respondents 1 to 3 and Mr.M.Thilagar, learned Government Advocate for the fourth respondent.

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2.The petitioner herein is an aspirant for the post of Record Clerk and Office Assistant, for which he has made an application. Apprehending that there may not be a fair selection process, the present writ petition has been filed. The writ petition itself cannot be maintained based on the apprehensions and surmises.

3.It is needless to point out that any selection process requires to be done in a fair and proper manner, in accordance with regulations governing such selection. Mere presumption that the selection process will not be done in a transparent manner cannot give rise a cause of action for filing the writ petition. This Court does not apprehend the manner in which the petitioner, who is also an applicant, rushing to the court even before a cause of action arises and attempting to dictate terms as to the mode of the selection process.

4.At this juncture, the learned Standing Counsel for the fourth respondent submitted that the present selection notification is for four posts, for which they received about 2592 applications and they have only received applications and yet to proceed further. At this stage, it would definitely not be open to the petitioner to rush to the court and seek for something which he presumes.

5.Accordingly, this writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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

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Directorate of Rural Development and Panchayat Raj Department
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+1 CC to M/s.GP (SR-4245 & 4239[F] dated 10/02/2021)

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(SVM) CO
AP (23/02/2021) 3P 6C