



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE **M.M.SUNDRESH**
AND
THE HONOURABLE MRS.JUSTICE **S.ANANTHI**

W.P. (MD)No.20024 of 2020

and

W.M.P. (MD)Nos.16672 & 16673 of 2020

S.Sundar Raj

: Petitioner

Vs.

1.Directorate of Town Panchayats,
Kuralagam,
Chennai - 600 108.

2.The District Collector,
Office of the Collectorate,
Nagercoil,
Kanyakumari District.

3.Assistant Director,
Office of the Assistant Director of Town Panchayat,
Nagercoil Zone.

4.Executive Officer,
Thiruvattar, No.6/6, Kolvel,
Thiruvarambu Post - 629 161.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a Writ of Certiorarified Mandamus calling for the records pertaining to the notification dated 10.11.2019 issued by the 3rd respondent as published in "Makkal Kural" vide Na.Ka.No.7806/2019/P5, daily newspaper, dated 10.11.2019 for cadre strength of posts and all further proceedings and quash the same as illegal, arbitrary and devoid of merit and consequently, directing the respondents to consider the representation dated 21.09.2020 and to initiate appropriate action against the third respondent for acting in contrary to the government order and law.

For Petitioner : Mr.T.Annaamalai
For Respondents : Mr.N.Shanmugaselvan
Additional Government Pleader
for R.1 to R.3

Mr.K.P.Krishnadoss
for R.4



ORDER

(Order of the Court was made by **M.M.SUNDRESH, J.**)

The petitioner filed this public interest litigation challenging the notification, which is meant to fill up the posts of Office Assistant, Meter Reader and Sweeper in the local body. The earlier writ petition filed by the petitioner in W.P.(MD)No.14187 of 2020 was dismissed by a learned Single Judge of this Court, by order dated 15.10.2020, *inter alia*, holding that the petitioner is neither personally affected nor a writ petition is maintainable by way of a *pro bono* in service matters.

2. The said order having become final, which, in our view, is a correct position of law, the present writ petition is not maintainable. The petitioner, who is an Ex-Councilor, has filed this public interest litigation pertaining to service matter. Furthermore, the appointments are yet to be made, though the notification is of the year 2019. If the petitioner finds that the appointments are made irregularly and / or contrary to law, it is well open to him to bring it to the notice of the appropriate higher authorities.

3. With the above observation, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

gk

To

1.The Director,
Directorate of Town Panchayats,
Kuralagam,
Chennai - 600 108.

2.The District Collector,
Office of the Collectorate,
Nagercoil,
Kanyakumari District.



3.The Assistant Director,
Office of the Assistant Director of Town Panchayat,
Nagercoil Zone.

+1 CC to SGP (SR-256[F] dated 06/01/2021)

W.P. (MD) No.20024 of 2020

05.01.2021

MK (CO)

NR (19/01/2020) 3P : 5C