



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) No.2963 of 2014

N.Meenatchi Sundaram

... Petitioner

vs.

1.The Commissioner of Municipal Administration,
Chepauk, Chennai -5.

2.The Commissioner,
Sivakasi Municipality, Sivakasi,
Virudhunagar District.

3.The District Employment Officer,
Virudhunagar District, Virudhunagar.

4.K.Jansi Rani

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Quo Warranto, to direct the fourth respondent to show cause by what authority he claims to hold the post of Work Inspector in the second respondent Municipality and consequently, to declare that the appointment of the fourth respondent as Work Inspector in the second respondent Municipality is void, non-est in law and illegal.

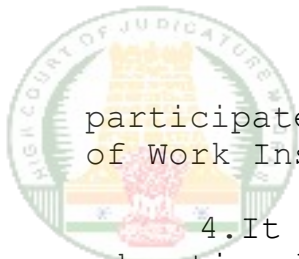
For Petitioner : Mr.S.Sukumar
For R-3 : Mr.M.Linga Durai
Government Advocate
For R1 to R2 : No Appearance

O R D E R

This Writ Petition is filed for issuance of a Writ of Quo Warranto, alleging that the appointment of fourth respondent, who has been appointed to the post of Work Inspector, should be declared as void and non-est in law.

2.Heard Mr.S.Sukumar, learned Counsel for the petitioner and Mr.M.Linga Durai, learned Government Advocate appearing for the third respondent.

3.The second respondent Municipality published a notification to fill up the post of Work Inspector through District Employment Exchange. It is admitted that as per the list sponsored by the District Employment Exchange, the fourth respondent also



participated in the selection process and got selected to the post of Work Inspector.

4.It is the case of the petitioner that the required educational qualification for the post of Work Inspector is a Diploma in Civil Engineering and that the fourth respondent, who is only holding Diploma in Architectural Assistantship, is not qualified to the said post.

5.The learned Government Advocate appearing for the third respondent submitted that the fourth respondent's educational qualification is fitted well with the qualification prescribed for the post of Work Inspector. Since the fourth respondent possesses a Diploma in Architectural Assistantship, it is stated that the course is related to Civil Engineering and that therefore, the fourth respondent was found eligible. Except educational qualification of the fourth respondent, no other serious violation is pointed in the process of appointment. The petitioner's contention in the affidavit that the appointment of the fourth respondent is not as per the advertisement is not supported by any materials. It is not in dispute that the eligible candidates were sponsored by the District Employment Exchange and that the fourth respondent was appointed after satisfying all the eligible criteria. Having regard to the stand taken by the respondent, this Court is unable to find any merits in this Writ Petition.

6.Hence, this Writ Petition is dismissed for want of merits. However, there is no order as to costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

cmr

To

1.The Commissioner of Municipal Administration,
Chepauk, Chennai -5.

2.The Commissioner,
Sivakasi Municipality, Sivakasi,
Virudhunagar District.



3.The District Employment Officer,
Virudhunagar District, Virudhunagar.

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-26973[F]
dated 23/08/2021)

WEB COPY
+1 CC to M/s.SPL GP (SR-26914[F] dated 23/08/2021)

W.P.(MD) No.2963 of 2014
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