



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2021

CORAM :

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

WP(MD)No.4610 of 2017 &

WMP(MD)Nos.18545/2018 & 3676/2017

WEB COPY

T.Mariappan

... Petitioner

Vs.

- 1.The State of Tamil Nadu
Represented by its Secretary to Government,
Labour and Employment (N2) Department,
Secretariat, Chennai.
- 2.The Commissioner of Municipal Administration,
Commissionerate of Municipal Administration,
Chepauk, Chennai-5.
- 3.The Commissioner,
Nagercoil Municipality,
Nagercoil.
- 4.The Chairman,
Nagercoil Municipal Council,
Nagercoil, Kanyakumari District.
- 5.G.Sakila

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records in pursuant to the Resolution No.30 dated 28.12.2015 passed by the fourth respondent and the consequential impugned appointment order passed by the third respondent in Na.Ka.No.C1/13370/2012 dated 30.12.2015 and quash the same and direct the third respondent to select the petitioner as Junior Assistant in the office of the third respondent as he has fulfilled all eligibility criteria for the post.

For Petitioner : Mr.M.Karthikeya Venkitachalapathy

For Respondents : Mr.R.Suresh Kumar
Government Advocate for R1 & R2

Mr.P.Athimoolapandian for R3

Mr.T.Lajapathi Roy for R4

**ORDER**

This writ petition is filed for issuance of Writ of Certiorarified Mandamus to quash the impugned order passed by the third respondent in Na.Ka.No.C1/13370/2012 dated 30.12.2015 and direct the third respondent to select the petitioner as Junior Assistant in the office of the third respondent as he has fulfilled all eligibility criteria for the post.

2. The learned counsel for the petitioner has now learnt from his own client that the petitioner has preferred an appeal before the Tamil Nadu Local Bodies Ombudsman against the order impugned in this writ petition. Hence, the learned counsel has no objection in dismissing the writ petition with liberty to the petitioner to challenge the order dated 08.07.2016 passed by the Tamil Nadu Local Bodies Ombudsman in Petition No.0334/2016/N in Order No.120 of 2016.

3. Accordingly, this writ petition is dismissed with a liberty to the petitioner to challenge the order dated 08.07.2016 passed by the Tamil Nadu Local Bodies Ombudsman in Petition No.0334/2016/N in Order No.120 of 2016. Consequently, the connected Miscellaneous Petitions are closed. No costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Secretary to Government,
The State of Tamil Nadu
Labour and Employment (N2) Department,
Secretariat, Chennai.
- 2.The Commissioner of Municipal Administration,
Commissionerate of Municipal Administration,
Chepauk, Chennai-5.



3.The Commissioner,
Nagercoil Municipality,
Nagercoil.

4.The Chairman,
Nagercoil Municipal Council,
Nagercoil, Kanyakumari District.

+1 CC to M/s.M.KARTHIKEYAVENKITACHALAPATHY, Advocate (SR-33318[F]
dated 29/10/2021)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-33557[F] dated
02/11/2021)

+1 CC to M/s.SPL.GP (SR-33370[F] dated 01/11/2021)

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MGJ/SKN(17.11.2021) 3P 8C