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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.8921 of 2022

and

W.M.P.Nos.8765 & 8766 of 2022

1.U.Lalitha
2.M.Arun
3.D.Jayachitra
4.M.Dineshbabu
5.E.Sathishkumar
6.S.Udayakumar
7.P.Baskar
8.M.Senthilnathan

... Petitioners

vs.

1. The State of Tamil Nadu,
Rep. by its Collector, Mayladuthurai District,
District Collectorate, Mayladuthurai - 609 001.

2. The Revenue Divisional Officer,
Nagapattinam, SH-23,
Mayiladuthurai Thiruthuraipoondi Road,
Mayiladuthurai - 609 001.

3. The Tahsildar,
Tharangambadi Taluk,
Mayiladuthurai District.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to consider the representation dated 04.04.2022 of the petitioner and direct the 1st respondent to reinstate the petitioners to the post of Village Assistants in their respective place of postings within the limits of Mayiladuthurai Taluk, Mayiladuthurai District.

For Petitioner : Mr.V.Rajasekar

For Respondents: Mr.P.Rajarajeswari
Government Advocate



O R D E R

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

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2. This writ petition has been filed seeking to issue a Writ of Mandamus, directing the first respondent to consider the representation dated 04.04.2022 of the petitioners and to reinstate them as Village Assistants in their respective place of postings within the limits of Mayiladuthurai Taluk, Mayiladuthurai District.

3. The case of the petitioner in brief:

The District Collector, Mayiladuthurai District released a notification dated 06.01.2022 for filling up of vacant posts of Village Assistants. The petitioners had applied for the above post and they participated in the interview held on various dates in the month of February 2022. Thereafter, the petitioners were issued appointment order dated 16.03.2022 and they have also joined duty without any delay to their respective place. But, on 29.03.2022, the petitioners were not allowed to work, informing that their appointment order issued by the third respondent was cancelled by the first respondent.

3.1. It is informed by the Personal Assistant to Collector that the third respondent did not obtain the approval at each and every stage of the selection process from the first respondent therefore, their appointments were cancelled. But, in the instant case, the notification itself was issued only by the first respondent and as per the guidelines and instructions issued by the first respondent, the third respondent exercised the administrative duty. Therefore, there is no irregularities or violations noticed in the process of selection by the District Administration. The petitioners gave representation on 04.04.2022 to the District Collector, Mayiladurai, seeking reinstatement of service.

4. The learned counsel appearing for the petitioners submitted that pursuant to the appointment order, the petitioners joined duty immediately to their respective place. But, the impugned cancellation of appointment order was issued without notice or without giving opportunity of hearing to the petitioners. He also submitted that, now publication was issued inviting application for new recruitment, to fill up the post of Village Assistants. Therefore, the first respondent may be directed to consider the representations of the petitioners and to pass orders.

5. The learned Government Advocate appearing for the respondents submitted that the representations of the



petitioners will be considered by the first respondent and appropriate orders will be passed on its own merits, in accordance with law.

6. In view of the above submission and considering the limited scope of prayer and to meet the ends of justice, without expressing any opinion on merits, the following order is passed.

i) The first respondent is directed consider the representations of the petitioners dated 04.04.2022 and to pass orders on its own merits and in accordance with law, as early as possible, within a period of twelve weeks from the date of receipt of a copy of this court.

ii) There shall be an order of Statu-quo, till passing of final orders by the first respondent on the representation of the petitioners.

7. With the above direction, this writ petition is disposed of. No costs. Consequently, connected writ miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

mst

To

1. The District Collector,
Mayladuthurai District,
District Collectorate,
Mayladuthurai - 609 001.
2. The Revenue Divisional Officer,
Nagapattinam, SH-23,
Mayiladuthurai Thiruthuraipoondi Road,
Mayiladuthurai - 609 001.
3. The Tahsildar,
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W.P.No.8921 of 2022

SPD(CO)
CT 27/04/2022