



W.P.(MD)No.5202 of 2020

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.5202 of 2020

and

W.M.P(MD)No.4551 of 2020

Elamparithi

... Petitioner

Vs.

1.The District Collector

Virudhunagar District,

Virudhunagar.

2.The PA to Collector (Development)

Collectorate Campus,

Virudhunagar,

Virudhunagar District.



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3.The Block Development Officer/Commissioner,

Palayampatti Panchayat,

Aruppukottai Panchayat Union,

Aruppukottai Taluk,

Virudhunagar District.

4.The Panchayat President

Palayampatti,

1st Grade Panchayat,

Aruppukottai Panchayat Union,

Aruppukottai Taluk,

Virudhunagar District.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents 1 to 4 to follow the procedure of paper advertisement, inviting application from the eligible candidate, conducting interview and then appointing a person for the vacant post of bill collector at the fourth respondent Panchayat.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.C.Satheesh - for R1 to R3

Government Advocate

Mr.P.Subbaraj - for R4



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ORDER

This Writ Petition has been filed to direct the respondents 1 to 4 to follow the procedure of paper advertisement, inviting application from the eligible candidate, conducting interview and then appointing a person for the vacant post of bill collector at the fourth respondent Panchayat.

2. The learned counsel for the petitioner submitted that the petitioner filed a writ petition for mandamus to direct the respondent to follow the procedures of paper advertisement inviting application from eligible candidates and conducting enquiry for appointment to the post of Bill Collector in fourth respondent Village panchayat.

3. The fourth respondent panchayat filed a counter as follows :

"I respectfully states that the petitioner further stated that I have not followed the legal procedure to fill up the above said Bill Collector



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post and taking steps to appoint some other person. It is not correct. I never take any steps to appoint any person for the post of Bill Collector as on date. It is reiterated here that the respondents never violated any law of any legally required formalities and never acted high handily or arbitrarily. I further submits that I am having the power to fill up the temporary post for Bill Collector. At that time of fill up the said post I will follow the rules. Hence the present writ petition of the petitioner should be dismissed as not maintainable under law."

4. In view of the above, no further order is necessary in this writ petition. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Internet : Yes / No
RM

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M.DHANDAPANI,J.

RM

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