



W.P.(MD)No.7404 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.10.2022

CORAM

THE HON'BL MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.7404 of 2016

and

W.M.P.(MD)Nos.6232 & 6233 of 2016

P.Mahendran

... Petitioner

Vs.

1. The District Collecotr,
Sivagangai District,
Sivagangai.

2. The Tahsildar,
Manamadurai Taluk,
Sivagangai District.

3. C.Annathurai

4. P.Durai

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order of the second respondent in Na.Ka.A1/864/2014, dated 13.06.2014 and consequential appointment



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order of the fourth Respondent issued by the second Respondent in Na.Ka.A1/860/2013 dated 01.10.2014 and quash the same as illegal and consequently, directing the Respondents to appoint the Petitioner based on the interview conducted by the Respondents on 10.09.2012.

For Petitioner : Mr.K.P.Narayana Kumar

For R1 & R2 : Mr.P.Thambidurai
Government Advocate (Civil side)

For R3 : Mr.T.Antony Arul Raj

For R4 : No appearance

ORDER

This Writ Petition is filed challenging the recruitment of the third and fourth respondent to the post of Village Assistant.

2. The contention of the petitioner is that he was not selected by the respondents, but appointed the third respondent who is 12 km away from the place. However, the petitioner is only 2 km away from the concerned village. The petitioner further contended that the respondents have considered a wrong person in spite of the fact the



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petitioner is staying only 2 km away from the said village thereby illegality has happened in the said recruitment process.

3. When the matter was taken up for hearing, the age of the petitioner was verified. It is seen that the petitioner was 38 years at the time of recruitment process which was conducted in the year 2012. The age criteria which were fixed as only 37 years for the Scheduled Caste candidates. For regular candidates, it was fixed as 32 years. Since the petitioner is over aged, the petitioner's candidature cannot be considered. Therefore, this Court is inclined to dismiss the writ petition.

4. With the above said observation, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

12.10.2022

Index : Yes / No
Internet : Yes / No
jbr

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S.SRIMATHY, J

jbr

To

1. The District Collector,
Sivagangai District,
Sivagangai.
2. The Tahsildar,
Manamadurai Taluk,
Sivagangai District.

Order made in
W.P.(MD)No.7404 of 2016

12.10.2022