



W.P.No.18828 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.18828 of 2013 and
MP.No.2 of 2013 & WMP.No.33335 of 2016

K.Rani

... Petitioner

Vs.

- 1.The District Collector,
Cuddalore District, Cuddalore
 - 2.The Secretary to the Government of
Tamilnadu, Employment Department,
Chennai 600 009
 - 3.The Chairman,
Nellikuppam Municipality,
Municipality Office,
Nellikuppam 607 105, Cuddalore District
 - 4.The Commissioner,
Nellikuppam Municipality,
Nellikuppam 607 105,
Cuddalore District
 - 5.M.Karunakaran
 - 6.R.Pavithra
 - 7.Shanmugam
- (Respondents 5 to 7 impleaded as per order
dated 02.08.2017 in MP.No.1 of 2015 in
WP.No.18823 of 2013)

... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the



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records of the fourth respondent in Na.Ka.307/2013/C1 dated 27.06.2013 and the proceedings of the fourth respondent in Na.Ka.No.307/2013/C1 dated 10.06.2013 insofar as the appointments pertaining to respondents 5 to 7 respectively and quash the same and thereby direct the respondents 1 to 4 to appoint the petitioner in the suitable post either as Revenue Assistant or as Record Clerk in the fourth respondent municipality. (Prayer amended as per order dated 27.02.2015 in MP.No.2 of 2015 in WP.No.18828 of 2013)

For Petitioner : Mr.N.Suresh

For Respondents

For R1 & 2 : Dr.T.Seenivasan,
Special Government Pleader

For R3 & 4 : No appearance

ORDER

This writ petition has been filed challenging the order passed by the third respondent thereby rejected the request made by the petitioner to appoint her in the post of Revenue Assistant. The petitioner also challenged the appointment of respondents 5 to 7 herein who were appointed to the post of Record Clerk, Revenue Assistants respectively.



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2. The learned counsel for the petitioner would submit that the petitioner's husband's well built house with its infrastructure have been endowed to Neyveli Lignite Corporation and also the petitioner belongs to Scheduled Caste community. Even then, priority was not given while selecting candidates to the post of Record Clerk and Revenue Assistants by the third and fourth respondents herein. Though the petitioner was sponsored by the employment exchange, she was not selected for the reasons best known to respondents 3 and 4 herein. Therefore, she submitted detailed representation and it was not considered. As such, the petitioner was constrained to approach this Court in WP.No.12665 of 2008. This Court directed the third respondent to consider her representation within a period of six weeks. Now, it was rejected. While pending the writ petition, the petitioner also challenged the appointment of respondents 5 to 7 herein on the ground that they were appointed without following any reservation and priority basis.

3. On perusal of counter filed by the third respondent revealed that the fifth respondent was appointed under priority basis since he is a



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physically challenged person and he is senior to the petitioner. Insofar as the seventh respondent, he was appointed to the post of Record Clerk and he was also selected and appointed under the category of physically handicapped and he is also senior to the petitioner herein. Insofar as the sixth respondent is concerned, she only applied for Revenue Assistant and she was only sponsored by the Employment Exchange and she was selected and appointed to the post of Revenue Assistant.

4. On perusal of priority certificate produced by the petitioner, revealed that the petitioner's husband possessed only three cents of land and it was endowed to Neyveli Lignite Corporation. That apart, the post of Record Clerk, Revenue Assistants were filled up by the third respondent by calling upon the eligible candidates from the Employment Exchange. Through Employment Exchange, including the petitioner and others were sponsored to the third respondent. Accordingly, interview was conducted and on perusal of records, based on priority, those persons were appointed and there is absolutely no irregularity in the appointment of respondents 5 to 7 to the post of Record Clerk and Revenue Assistants.



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Therefore, the request made by the petitioner was rightly rejected and this Court finds no infirmity or irregularity in the order passed by the third respondent.

5. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

08.08.2023

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

- 1.The District Collector,
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- 3.The Chairman,
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Municipality Office,
Nellikuppam 607 105, Cuddalore District
- 4.The Commissioner,
Nellikuppam Municipality,
Nellikuppam 607 105,
Cuddalore District
5. The Government Advocate,
High Court, Madras.

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