



WEB COPY



W.P.No. 7004 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2023

CORAM

THE HONOURABLE MRS. JUSTICE V. BHAVANI SUBBAROYAN

W.P.No. 7004 of 2023

M. Theenathayalan

..Petitioner

Versus

1. The District Collector
Collectorate
Erode District.

2. The Tahsildar
Office of the Tahsildar
Gobichettipalayam.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 10.01.2023 for the post of Village Assistant in the priority category of first graduate in the family as well as the quota reserved for persons studied in Tamil Medium (PSTM) and category studied in Government School based on the G.O.Ms.No. 122 Human Resources Management (K2) Department, dated 02.11.2021 Government of Tamil Nadu and as per the Rule of Reservation mentioned in the Item No. 5 of the Communal Rotation mentioned in the call for notification No.1 of 2022 dated 10.10.2022 of the Revenue and Disaster Management Department, Erode District in the process of selection and dispose the same.



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For Petitioner : Mr.S. Arokiamaniraj
For Respondents : Mr.Shajahan
Special Government Pleader

ORDER

The prayer sought for herein in this writ petition is for issuance of a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation, dated 10.01.2023 for the post of Village Assistant in the priority category of first graduate in the family as well as the quota reserved for persons studied in Tamil Medium (PSTM) and category studied in Government School based on the G.O.Ms.No. 122 Human Resources Management (K2) Department, dated 02.11.2021 Government of Tamil Nadu and as per the Rule of Reservation mentioned in the Item No. 5 of the Communal Rotation mentioned in the call for Notification No.1 of 2022 dated 10.10.2022 of the Revenue and Disaster Management Department, Erode District, in the process of selection.

2. The grievance of the petitioner is that the petitioner has applied for the post of Village Assistant vide Notification issued by the 2nd respondent/Tahsildar, dated 10.10.2022. After completion of written examination, the petitioner was called for the interview and certificate



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verification on 09.01.2023 by the respondents. The respondents are in the process of selecting the candidates for the above mentioned post as per G.O.(Ms).No.122, Human Resources Management (K2), Department, dated 02.11.2021, Government of Tamil Nadu. The Notification issued by the 2nd respondent also indicates that in the Communal Rotation Column in Sl.No.5 post is reserved for Backward Classes (General) reserved for priority category for the priorities, category of first graduate in the family as well as quota reserved for persons studied in Tamil medium (PSTM) for the qualifying examination course in Government Schools. Therefore, the petitioner is eligible to be considering as per G.O.(Ms).No.122, dated 02.11.2021. While that being the case, the petitioner sent an application on 10.01.2023 to the respondents requesting them to consider the reservation quota for the backward classes in the priority category as mentioned in the Notification as well as First Graduate category and also persons studied in Tamil medium and also in government schools. The respondents have mandatory duty to follow and comply the provisions of G.O.(Ms).No.122, Human Resources Management (K2), Department, dated 02.11.2021, Government of Tamil Nadu and also the Communal Rotation mentioned in Column No.5 of the Notification issued by the second respondent. But the respondents have not considered the representation of the petitioner dated 10.01.2023. Therefore,



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the petitioner has come forward with the present writ petition under Article 226 of the Constitution of India.

3. The learned counsel for the petitioner submitted that the petitioner will be satisfied if this Court issues a direction to the respondents to consider the petitioner's representation dated 10.01.2023 within a stipulated time frame.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the respondents to consider the petitioner's representation dated 10.01.2023 and pass appropriate orders, on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. No costs.

08.03.2023

msm

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No



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To

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V. BHAVANI SUBBAROYAN, J.

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