



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.4926 of 2012

and

WMP.No.19693 of 2018

G.Rajavelu

... Petitioner

Vs.

1. The District Collector,
Villupuram District.

2. The Revenue Divisional Officer,
Kallakurichi,
Villupuram District.

3. The Tahsildar,
Kallakurichi Taluk,
Villupuram District.

4. Kanavan

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the proceedings dated 27.07.2011 in Na.Ka.A3/4210/2010 the third respondent



quash the same and consequently consider the petitioner for the post of Village Assistant Post, Kuthiraichandal Village, Kallakurichi Taluk, Villupuram District.

For Petitioner : Mr.N.Subramani

For Respondent Nos.1 to 3 : Mr. K.Surendran
Additional Government Pleader

ORDER

This writ petition has been filed seeking for issue of a Writ of Certiorarified Mandamus to call for the records relating to the proceedings No. Na.Ka.A3/4210/2010 dated 27.07.2011 issued by the third respondent, quash the same and to consider the petitioner for the post of Village Assistant Kuthiraichandal Village, Kallakurichi Taluk, Villupuram District.

2. Though notice was served on the fourth respondent, no one has entered appearance so far.

3. It is the case of the petitioner that his candidature was rejected by the



third respondent on the ground that he failed to produce certificate pertaining to the Educational Qualification, community certificate as required for appointment to the post of Village Assistant.

4. The third respondent had filed a counter stating that the petitioner failed to produce community certificate and also the certificate to show that the petitioner has studied up to 10th standard and therefore the candidature of the petitioner was rejected. It is also stated in the affidavit that the petitioner herein had on an earlier occasion filed a Writ Petition in W.P.No.20440 of 2011 before this Court and the said writ petition was dismissed by this Court by order dated 12.02.2021 holding that the action of the respondents in rejecting the candidature of the petitioner was proper. A copy of the said order is produced before this Court. This Court has perused the said order and it is noticed that the contention of the respondents that the petitioner failed to produce relevant certificates and therefore the respondent No.4 who was fully eligible was appointed as Village Assistant. Thus this Court recorded the finding that the petitioner failed to produce the relevant records which were required to be produced and the candidature of the petitioner was rejected by the third respondent. In the light of specific finding recorded by this Court



holding that the candidature of the petitioner for appointment as Village Assistant was rejected for non production of relevant records, in the considered view of this Court, the present writ petition is not maintainable. The findings recorded by this Court in W.P.No.20440 of 2011 have become final and hence the petitioner cannot reagitae the same again. Further, the petitioner is not entitled for appointment and this Court is not inclined to examine the validity of the appointment of fourth respondent at the instance of the petitioner that to at this distance of time.

5. Accordingly, the Writ Petition is dismissed. Consequently connected Miscellaneous Petition is closed. No costs.

11.12.2023

Index : Yes/No
Speaking Order / Non Speaking Order
adl

To

1. The District Collector,
Villupuram District.
2. The Revenue Divisional Officer,
Kallakurichi,
Villupuram District.
3. The Tahsildar,



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Kallakurichi Taluk,
Villupuram District.

MUMMINENI SUDHEER KUMAR, J.

adl

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