



W.P No.9216 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.10.2023

CORAM

**THE HONOURABLE MS. JUSTICE R.N.MANJULA**

W.P No.9216 of 2020 and

W.M.P.No.11243 of 2020

E.Kavitha

... Petitioner

Vs.

1.The District Collector,  
Villupuram,  
Villupuram District.

2.The Personal Assistant to District Collector,  
Villupuram,  
Villupuram District.

3.The Commissioner,  
Marakkanam Panchayat Union,  
Villupuram District.

4.The Commissioner,  
Olakkur Panchayat Union,  
Villupuram District.

5.The Commissioner,  
Melmalayanur Panchayat Union,  
Villupuram District.

... Respondents



W.P No.9216 of 2020

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to consider the claim of the petitioner for appointment to the post of Office Assistant in respondents 3,4 & 5 Panchayat Union by treating the petitioner as Scheduled Caste - Arunthathiyar pursuant to the respective selection notification dated 24.01.2020 issued by the respondents 3 to 5.

For Petitioner : Mr.R.Rajmohan for  
Mr.V.Suthakar

For Respondents : Mr.T.Chezhian, Addl. Govt. Pleader

### **ORDER**

This Writ Petition has been filed seeking issuance of Writ of Mandamus to direct the respondents to consider the claim of the petitioner for appointment to the post of Office Assistant in respondents 3,4 & 5 Panchayat Union by treating the petitioner as Scheduled Caste - Arunthathiyar pursuant to the respective selection notification dated 24.01.2020 issued by the respondents 3 to 5.

**2.** Heard Mr.R.Rajmohan, learned counsel for the petitioner and Mr.T.Chezhian, learned Additional Government Pleader appearing for the respondents.

### **3. The facts of case in brief are as follows:**



W.P No.9216 of 2020

The petitioner is said to be belonging to Scheduled Caste (Arunthathiyar Community) and she possesses educational qualification of plus 2. She applied for the post of Office Assistant available at Marakkanam, Olakkur and Melmalayanur Panchayat Union, Villupuram District. Even as per the notification, the post has been reserved for Scheduled Caste - Arunthathiyar / Priority / Women / Widow-1. Even though the petitioner is a qualified candidate, she was not considered for the said post. Hence she had given a representation in this regard to the District Collector, Villupuram on 20.06.2020. Having found unsuccessful, the petitioner has filed this Petition seeking the above prayer.

4. The learned Additional Government Pleader appearing for the respondents submitted that even as per the notification, the post has been actually reserved for Widow Category. Since suitable candidate in the said category was available, the petitioner has not been appointed and hence, the petitioner has got no legal ground to challenge the same.

5. The details of vacancy as per notification is given as under:



W.P No.9216 of 2020

|    |                     |   |                                                                                                             |
|----|---------------------|---|-------------------------------------------------------------------------------------------------------------|
| a. | Name of the post    | : | Office Assistant                                                                                            |
| b. | Number of vacancies | : | 3                                                                                                           |
| c. | Communal Rotation   | : | General Turn,<br>Scheduled Caste -<br>Arunthathiyar (Priority) Women<br>/ Widow, MBC (Priority)<br>General. |

6. The eligible candidates selected for appointment is tabulated hereunder:

|    |              |   |                                                                     |
|----|--------------|---|---------------------------------------------------------------------|
| 1. | General Turn | - | Thiru.C.Jaiganesh,<br>S/o.Chinnaraju (60%<br>physically challenged) |
| 2. | SCA(W)       | - | Tmt.M.Rajeshwari,<br>W/o.Manjunath (Late)                           |
| 3. | MBC          | - | Thiru.S.Arulpriyadharshan,<br>S/o.Sankaradass                       |

7. It is seen from the above tables that the second candidate Tmt.M.Rajeshwari is seen to be coming under SC Arunthathiyar Widow Category and she was found to be fit to the post and got selected. She has been rightly given with the appointment order.

8. If the petitioner's request is considered, then that will affect the



W.P No.9216 of 2020

interest of the person who has already been appointed to the said post.

Further, Tmt.M.Rajeshwari has also not been impleaded as one of the party to this Writ Petition. The petitioner's request is found to be not only impractical, but also not legal. Hence, this Writ Petition is liable to be dismissed.

9. In the result, this Writ Petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

**10.10.2023**

Index : Yes

Internet : Yes/No

gsk



WEB COPY



W.P No.9216 of 2020

**R.N.MANJULA, J.**

gsk

To

- 1.The District Collector,  
Villupuram,  
Villupuram District.
- 2.The Personal Assistant to District Collector,  
Villupuram,  
Villupuram District.
- 3.The Commissioner,  
Marakkanam Panchayat Union,  
Villupuram District.
- 4.The Commissioner,  
Olakkur Panchayat Union,  
Villupuram District.
- 5.The Commissioner,  
Melmalayanur Panchayat Union,  
Villupuram District.

**W.P No.9216 of 2020 and**  
**W.M.P.No.11243 of 2020**

**10.10.2023**