



WEB COPY



WP.No.23149 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.23149 of 2023
and WMP.No.22696 of 2023

M.Madhammal

...Petitioner

Vs.

1. The Chief Secretary,
Revenue and Disaster Management Department,
Secretariat, Fort St. George,
Chennai 600 009.
2. Commissionerate of Revenue Administration,
Chepauk,
Chennai 600 005.
3. The District Collector,
O/o Dharmapuri District Collectorate,
Dharmapuri District.
4. The Tahsildar,
Nallampalli Tahsildar Office,
Nallampalli Taluk,
Dharmapuri District.
5. M.Nathiya

...Respondents

Prayer:- This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Certiorarified Mandamus calling for the records relating to the order No.Na.Ka.A2/3988/2022 dated 13.01.2023 passed by the 4th respondent, quash the same and consequently direct the 4th respondent to appoint the petitioner as Village Assistant.



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For Petitioner : Mr.S.Sasikumar
For Respondents : Mr.E.Vedabagath Singh,
for RR1 to 4 : Special Government Pleader

ORDER

This Writ Petition has been filed challenging the appointment of fifth respondent as Village Assistant.

2. Heard both sides and perused the materials available on record.

3. It is the contention of the petitioner that the first respondent herein issued a notification No.01/2022 calling for the list of candidates from the fourth respondent to fill up the vacancies in the post of Village Assistant at Nallampalli Taluk. The petitioner also participated in the selection process. However, to the shock and surprise, fifth respondent is appointed as Village Assistant. It is his further contention that the selection was not made as per the Rules.

4. The main grievance of the petitioner is that the fifth respondent is residing 20 kilometers away from the Village, which is



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contrary to the G.O.Ms.No.521, Revenue Department, dated 17.06.1998.

Therefore, the appointment of fifth respondent has to be cancelled.

5. Considering the facts and submissions of the learned counsel on both sides, this Court is of the view that the Writ Petition cannot be entertained on mere allegations. Even G.O.Ms.No.521, dated 17.06.1998 relied upon by the petitioner, makes it very clear that the person appointed for the Village Assistant normally shall reside in the Village, but that does not mean the person residing in the Village should alone be appointed.

6. Be that as it may, the petitioner had participated in the selection process and he was not selected on merits. Therefore, merely on technical ground and vague allegations, the appointment of fifth respondent cannot be questioned. Hence, we do not find any merit in this Writ Petition. Accordingly, the petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
pvs



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