



WEB COPY



W.P.No.26559 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.26559 of 2023
and
W.M.P.No.25966 of 2023

P.Manoharan

... Petitioner

Vs.

1.The District Collector,
Ranipettai District,
Ranipet.

2.The Tahsildar,
Kalavai Taluk,
Ranipettai – 632 318.

3.K.Ajithkumar

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus to call for the records in Na.Ka.No. 1/ 815/ 2023 dated 22.05.2023 on the file of 2nd respondent and to quash the same and direct the 2nd respondent to appoint the writ petitioner as Village Assistant in Kalavai Taluk, Ranipet district.

For Petitioner : Mr.G.Krishnamurthy

For R1 and R2 : Mr.P.Baladhandayutham
Special Government Pleader



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ORDER

This writ petition has been filed challenging the order of the 2nd respondent, dated 22.05.2023, rejecting the request of the petitioner for appointment to the post of Village Assistant in Kalavai Taluk, Ranipet District, on the ground of over-age.

2.It is the case of the petitioner that he is a physically challenged person and his name was sponsored by the Employment Exchange and he attended the interview for the post of Village Assistant in Kalavai Taluk, Ranipet District, on 25.11.2022. It is the grievance of the petitioner that he was not selected and the representation submitted the petitioner, dated 27.04.2023, was rejected by the 2nd respondent, vide the impugned order. Challenging the same, the present writ petition has been filed.

3.Learned counsel for the petitioner would submit that, since the petitioner is physically challenged, his case should have been considered by giving priority.



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4.Heard Mr.P.Baladhandayutham, learned Special Government

Pleader, who takes notice for the respondents 1 and 2.

5.On a perusal of the impugned order, it is seen that the very order itself clearly indicates that, since the petitioner was over-aged as on the cut-off date, i.e., 01.07.2022, he was not considered for appointment. It is relevant to note that the notification, dated 09.10.2022, calling for applications to the post of Village Assistant, makes it clear that the vacancy in Valaipanthal Village is notified for Backward Classes, however, the petitioner belongs to MBC/DNC. In such view of the matter, the question of giving priority, whatsoever, to the petitioner, does not arise at all. Such being the position, when the petitioner has applied under the General Category for a post reserved for Backward Classes, the petitioner, as a matter of right, cannot claim any appointment on the basis of priority under Physically Challenged Quota, which has not been notified or which he has not even applied.



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6. Therefore, I do not find any merit in this writ petition.

Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

12.09.2023

mkn

Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

1. The District Collector,
Ranipettai District,
Ranipet.

2. The Tahsildar,
Kalavai Taluk,
Ranipettai – 632 318.



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