



WEB COPY



W.P.No.25959 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.25959 of 2023

Sudhandira Gandhi

... Petitioner

Vs.

1.The District Collector,
Cuddalore District,
Cuddalore.

2.Special Officer/The Block Development Officer,
Mangalam Union,
Cuddalore.

3.The President,
Vagaiyur Panchayat Union,
Thittakudi Taluk,
Cuddalore District – 606 106.

4.P.Chitra

... 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 pertaining to the proceedings issued in Thee. Pa. No. 1.2021 dated 01.07.2021 of the President, Vagaiyur Panchayat Union, Cuddalore district the 3rd respondent herein and to quash the same and to direct the respondents 1 to 3 to select and appoint the petitioner as Secretary, Vagaiyur Panchayat Union, Cuddalore District.



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For Petitioner : M/s.S.S.Jhothivani
For R1 : Mr.P.Baladhandayutham
Special Government Pleader
For R2 and R3 : Mrs.C.Sangamithirai
Special Government Pleader

ORDER

This writ petition has been filed challenging the order of the 3rd respondent, dated 01.07.2021, appointing the 4th respondent as Secretary to Vagaiyur Panchayat Union, Thittakudi Taluk, Cuddalore District.

2.It is the case of the petitioner that she participated in the selection process to the post of Secretary to Vagaiyur Panchayat Union. According to the petitioner, she was called for an interview and she scored 16% marks in aggregate, whereas, the 4th respondent scored 18% in aggregate. It is the grievance of the petitioner that the petitioner would have scored more marks and the petitioner is also eligible for appointment on the basis of preference for contracting intercaste marriage, however, the 4th respondent came to be appointed as Secretary to the Panchayat Union, vide the impugned order. Therefore, it is the contention of the petitioner that the selection process has not been done properly. Hence, the



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appointment order issued to the 4th respondent is put to challenge in the present writ petition.

3. Heard the learned counsel for the petitioner, Mr.P.Baladhandayutham, learned Special Government Pleader, who takes notice for the 1st respondent and Mrs.C.Sangamithirai, learned Special Government Pleader, who takes notice for the respondents 2 and 3.

4. At the outset, this Court is not inclined to issue any positive directions in this case, since the petitioner herself has admitted in the affidavit that she has secured lesser marks than the 4th respondent and that the selection was done by following a due process and that the impugned appointment order has been issued to the 4th respondent as early as on 01.07.2021. Therefore, after this length of time, the petitioner cannot challenge the appointment of the 4th respondent merely on the assumption that the petitioner would have secured more marks in the selection process. Hence, I do not find any merit in this writ petition.



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5. Accordingly, this writ petition is dismissed. No costs.

05.09.2023

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Internet : Yes
Index : Yes / No
Neutral citation : Yes / No
Speaking order / Nonspeaking order

To

1. The District Collector,
Cuddalore District,
Cuddalore.
2. The Special Officer/Block Development Officer,
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