



W.P.(MD) No.1898 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.02.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD) No.1898 of 2023
and WMP(MD) Nos.1675 and 1677 of 2023

Muthuselvi,

... Petitioner

Vs

1. The District Collector,
Tirunelveli District,
Tirunelveli.

2. The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.

3. The Thasildar,
Nanguneri Taluk,
Tirunelveli District.

4. Subramanian

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of appointment passed by the third



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respondent vide his proceedings Na.Ka.A3/ 3933 / 2021, dated 11.01.2023 and quash the same in respect of fourth respondent Serial No.13 and consequently direct the third respondent to appoint the petitioner as Village Assistant, Moolakkaraipatti Part-I Village, Nanguneri Taluk, Tirunelveli District.

For Petitioner	:	Mr.C.Mayilvahana Rajendran
For R1 to R3	:	Mr.S.P.Maharajan Special Government Pleader
For R4	:	No Appearance

ORDER

Challenging the impugned proceeding of the 3rd respondent and for a direction to the 3rd respondent to appoint the petitioner as Village Assistant, this writ petition has been filed.

2. The case of the petitioner is that she participated for the selection to the post of Village Assistant in Moolakaraipatti Part I, which has been reserved for priority category. The petitioner's marriage is a inter-caste marriage and he was issued with the inter-caste marriage certificate and possessed PSTM certificate to show that she studied upto 8th standard



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and hence, she has participated in the selection process under the priority category, however, her candidature was rejected. While so, the 4th respondent, who is a graduate was selected and appointment order was sent to him. When the petitioner is possessing 8th standard qualification and the minimum qualification is 5th standard and to her credit she has PSTM certificate and hence, the rejection of the petitioner and the selection of the 4th respondent is per se illegal and unsustainable.

3. The learned Special Government Pleader would submit that the petitioner applied to the post of Village Assistant, which was reserved for priority category and the fourth respondent, who is a priority candidate and possessed a degree, secured 93 marks, whereas, the petitioner secured only 79 marks and therefore, he was not selected and hence, prays for dismissal of this writ petition.

4. Heard the learned counsel for the petitioner, the learned Special Government Pleader for the respondents and perused the materials available on record.



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5. From the counter affidavit filed by the respondents and a perusal of the documents, it reveals that the petitioner secured only 79 marks and the fourth respondent secured 93 marks, which is higher than that of the petitioner and therefore, the respondents rightly selected the fourth respondent and thus, the selection of the fourth respondent does not require any interference.

6. In the result, this writ petition is dismissed. However, this order will not stand in the way of the petitioner to participate in the future selection. No costs. Consequently connected Miscellaneous Petitions are closed.

22.02.2023

NCC : Yes/No
Index : Yes/No

RR



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M.DHANDAPANI, J.

RR

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