



W.P.(MD)No.3919 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:01.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.3919 of 2023

W.M.P(MD).Nos.3749 and 3751 of 2023

V.Banupriya

... Petitioner

Vs.

1.The District Collector,
Pudukkottai District.

2.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.

3.Jeyanthi

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the second respondent in proceedings in Na.Ka.No.8783/2022/A2 dated 20.01.2023, quash the same and consequently direct the respondents to appoint the petitioner as Village Assistant at Kundagavayal Revenue Village, Aranthangi Taluk,



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Pudukkottai District, with all consequential benefits.

For Petitioner : Mr.V.Panneer Selvam
For R1 and R2 : Ms.K.Christy Theboral
Additional Government Pleader

ORDER

This Writ Petition has been filed to call for the records pertaining to the order passed by the second respondent in proceedings in Na.Ka.No.8783/2022/A2 dated 20.01.2023, quash the same and consequently, direct the respondents 1 and 2 to appoint the petitioner as Village Assistant at Kundagavayal Revenue Village, Aranthangi Taluk, Pudukkottai District, with all consequential benefits.

2. The case of the petitioner is that the respondents issued a Notification to fill up the posts of Village Assistant and eight posts were notified to the second respondent Taluk. She applied for the said post in Kundagavayal Revenue Village, Aranthangi Taluk, Pudukkottai District, under MBC non-priority category and she has submitted her application on 31.10.2022. The written examination was conducted on 04.12.2022



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and she was called for interview on 03.01.2023. She has also attended the interview. When she was waiting for appointment order, she was informed that the third respondent was appointed as Village Assistant. Hence, the present Writ Petition has been filed.

3. The learned counsel appearing for the petitioner would submit that as per the norms prescribed in the Notification, the candidate should belong to the same Taluk. However, the third respondent is residing nearly 29 km away from the village. The petitioner is residing within 1 km. Without considering the same, the second respondent has issued the appointment order to the third respondent by violating all the norms, which is not sustainable one. Hence, the present Writ Petition has been filed.

4. The learned Additional Government Pleader appearing for the respondents would submit that the petitioner has scored 63 marks in the written and other eligibility test and 10 marks in interview, whereas, the third respondent has scored 73 marks in the written and other eligibility



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test and 12 marks in interview. Hence, the third respondent was selected as Village Assistant. The interview was conducted by the Tahsildar, Special Tahsildar and the Deputy Tahsildar as per the guidelines issued in the Government Order. There is no illegality or irregularity in the appointment of the third respondent.

5. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

6. The facts in the present case are not in dispute. Admittedly, the petitioner and the third respondent have applied for the post of Village Assistant at Kundagavayal Revenue Village, Aranthangi Taluk, Pudukkottai District. It is seen from the records that the petitioner has secured 63 marks in the written and other eligibility test and 10 marks in interview, whereas, the third respondent has secured 73 marks in the written and other eligibility test and 12 marks in interview. After considering the eligibility, the marks secured by the candidates and the performance during the interview, the Selection Committee has appointed



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the third respondent as Village Assistant at Kundagavayal Revenue Village, Aranthangi Taluk, Pudukottai District. The selection process was conducted as per G.O.Ms.No.574, Revenue and Disaster Management, Department, dated 17.10.2020 and G.O.Ms.No.521, Revenue Department, dated 17.06.1998. Hence, this Court is not inclined to interfere with the impugned order of appointment passed by the second respondent.

7. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

01.03.2023

ssb

To

1.The District Collector,
Pudukkottai District.

2.The Tahsildar,
Aranthangi Taluk,
Pudukkottai District.

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