



W.P(MD)No.5067 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 19.04.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.5067 of 2023

and

W.M.P.(MD)Nos.4759 and 4760 of 2023

V.Akilandeswari

... Petitioner

Vs.

1.The Tahsildar,
Mannachanallur Taluk Officer,
Mannachanallur,
Trichy District.

2.The Revenue Disaster Management,
Tahsildar Office,
Mannachanallur,
Trichy District.

3.J.Kannan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned appointment order of 3rd respondent issued by 1st respondent in Proceedings No. Nil dated 15.02.2023 and quash the same as illegal and consequently direct the 1st respondent to appoint the petitioner as Village Assistant.



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For Petitioner : Mr.S.B.Kayvin Prince

For Respondents : Mr.G.Suriyananth,
Addl. Government Pleader for R1 & R2.
Mr.K.Anand for R3.

ORDER

Heard the learned counsel on either side.

2.The petitioner challenges the appointment of the third respondent as Village Assistant for Theerampalayam village. The learned counsel for the petitioner contended that the third respondent did not even apply for the said post. He did not take part in the selection process. Yet by arbitrarily declaring that the post of Village Assistant of Theerampalayam has been earmarked for persons suffering from visual disability, the third respondent has been illegally appointed. This is the core attack launched by the learned counsel for the petitioner.

2.The official respondents have filed counter affidavit while the third respondent through his counsel filed typed set of papers. They



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strongly denied the allegation made by the learned counsel for the petitioner and pressed for dismissal of the writ petition.

3.I carefully considered the rival contentions and went through the materials on record. The first respondent issued recruitment notification inviting applications from eligible candidates for filling up the post of Village Assistant falling in Mannachanallur Taluk. The notification was issued on 10.10.2022. The last date for submitting application was 07.11.2022. The written test was held on 04.12.2022. Call letters for attending interview was issued on 27.12.2022. The selection list was published on 15.02.2023 and uploaded on 20.03.2023. Let me examine each of the contentions advanced by the learned counsel for the petitioner one by one. It is true that the third respondent did not formally respond to the recruitment notification. But then, his name was sponsored by the District Employment Exchange, Trichirappalli. Therefore, the contention that the third respondent did not individually submit an application pales into insignificance. It has been asserted in the counter affidavit filed by the Tahsildar, Mannachanallur Taluk that the third respondent participated in the written test and that the answer



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sheets were duly evaluated by government school teachers. The third respondent is said to have scored 57.5 marks out of 100. The learned counsel for the petitioner commended that the third respondent being blind person could not have written the test. This contention cannot be correct for the simple reason that even totally blind persons have been chosen as judicial officers. The Indian Institution of Public Administration, New Delhi recently conducted a training programme for such judicial officers and court staff. In this case, the third respondent had written the test with the help of a scribe. It is confirmed by the first respondent that the petitioner also took part in the interview.

4.Relying on G.O.(Ms)No.55 Personnel and Administrative Reforms Department dated 08.04.2010, it is submitted that the post of Village Assistant for Theerampalayam has been reserved for persons with benchmark disability of blindness and low vision. It is also stated that one Ilangovan, another visually impaired candidate, took part in the selection process but then he scored only 54 marks out of 100. Hence, the third respondent was selected. I do not find any ground to interfere. The appointment of the third respondent is sustained and the writ petition is



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dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

19.04.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The Tahsildar,
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Mannachanallur,
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- 2.The Revenue Disaster Management,
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G.R.SWAMINATHAN, J.

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