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W.P.(MD)NO.8297 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.8297 of 2023 AND
W.M.P.(MD)Nos.7635 & 12300 of 2023

Sathish

... Petitioner

Vs.

1. The Tahsildar,
Illupur Post and Taluk,
Pudukkottai District.

2. Kalaimani

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, call for the records of the impugned order issued by the 1st respondent in Na.Ka.A3/1736/2021-4 dated 25.01.2023 with regard to the selection process of the 2nd respondent as Village Assistant at Thannangudi Village, Illuppur Taluk and Pudukkottai District and set aside the same as illegal and arbitrary and in consequence thereof declare the candidature of the petitioner as suitable and order the 1st respondent to select the petitioner and post him as Village Assistant at Thannangudi Village, Illuppur Taluk, and Pudukkottai District.



For Petitioner : Mr.P.Ganapathi Subramanian
For R-1 : Mr.T.Villavankothai,
Additional Government Pleader.

For R-2 : Mr.T.Lajapathi Roy,
Senior Counsel,
for M/s.Lajapathi Roy and Associates.

* * *

ORDER

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the first respondent and the learned Senior counsel appearing for the second respondent.

2. The petitioner is an aspirant for the post of Village Assistant in Thannangudi Village. The petitioner took part in the selection process. But the second respondent turned out to be successful. Challenging the same, this writ petition came to be filed.

3. The petitioner's counsel contended that in the selection process, the jurisdictional Tahsildar did not associate himself. I therefore called upon the learned Additional Government Pleader to produce the file containing minutes of



the interview. A copy of the same has been produced. It is seen that on 02.01.2023 interview was conducted. It has been signed by the Head Quarter Deputy Tahsildar, the Special Tahsildar(SSS), Illuppur and the Tahsildar, Illuppur. The petitioner has secured 62 marks and the second respondent has secured 75 marks. The petitioner's counsel would insinuate that the second respondent was given favourable treatment at the time of interview. In the interview, the contesting respondent was given 11 marks. Even if the petitioner had been given 11 marks, he would not get higher marks than the second respondent. Sufficient grounds have not been placed to fault the selection of the second respondent. The process was adhered to and the second respondent's performance was shown to be better compared to the petitioner.

4. I do not find any ground to interfere. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

27.06.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU



WEB COPY



To:

The Tahsildar,
Illupur Post and Taluk,
Pudukkottai District.



WEB COPY



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G.R.SWAMINATHAN,J.

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