



W.P.(MD)No.15906 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.15906 of 2019

and

W.M.P(MD)No.12630 and 12632 of 2019

Dhivya

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District.

2.The Block Development Officer,
Paramakudi Panchayat Union,
Ramanathapuram District.

3.B.Shanmugapriya

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of *Writ of Certiorarified Mandamus*, calling for the records of the impugned order of the 2nd Respondent dated 07.02.2019 in Na.Ka.b4/1152/2018 and to quash the same and to consequently direct the 2nd respondent to appoint the petitioner to the post of village panchayat clerk in S.Kavanur village panchayat.



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For Petitioner : Mr.C.Jeganathan
For Respondent : Mr.P.Thambi durai
Government Advocate for R-1 and R-2
Mr.A.R.Kannappan for R-3

ORDER

This writ petition is filed challenging the impugned order, dated 07.02.2019 with consequential relief to appoint the petitioner to the post of Village Panchayat Clerk in S.Kavanur village panchayat.

2. Heard Mr.C.Jeganathan, learned counsel appearing for the petitioner and Mr.P.Thambi Durai, learned Government Advocate appearing for R-1 and R-2 and Mr.A.R.Kannappan, learned counsel appearing for R-3. Perused the material documents available on record.

3. The petitioner has completed 12th Standard and registered herself in the Employment Exchange. The 2nd respondent has issued a notification, dated 27.03.2018 for direct recruitment to fill up the post of Village Panchayat Clerk, within Paramakudi Panchayat Union, including one vacancy in S.Kavanur. The



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said post was reserved for B.C. Community other than B.C. Muslims. Since the petitioner possessing the qualification, she has participated in the recruitment process. Totally, 20 candidates have applied for the said post. The selection committee had processed the application and shortlisted 5 candidates and called them for interview.

4. The contention of the petitioner is that the petitioner belongs to S.Kavanur village. According to the notification, the candidates should be a resident or within the border of the village. Since the petitioner is in Kavanur village and the 3rd respondent who belongs to Thenpudhuvakudi village panchayat, hence the 3rd respondent is not entitled to be appointed.

5. Restricting the candidates based on place of residence is against the Article 14 and there are several judgments to the effect. Except this ground, the petitioner has not raised any ground.

6. The respondents have submitted that in the recruitment process, they have followed reservation policy and also constituted a committee and 20



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candidates were processed, subsequently, it was shortlisted for interview. After conducting interview for all the five candidates, the 3rd respondent was selected. The 3rd respondent has joined service and she is serving for the past four years.

7. Since there is no perversity in the selection process, this Court is not inclined to entertain this writ petition.

8. Accordingly, this Writ Petition stands dismissed. No Costs. Consequently, connected miscellaneous petitions are closed.

Index : Yes / No
Internet : Yes
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To

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S.SRIMATHY, J

ksa

**Order made in
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