



W.P(MD)No.30393 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.12.2023

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.30393 of 2023

M.Macharani

... Petitioner

Vs.

1.The District Collector,
Sivagangai,
Sivagangai District.

2.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.

3.The Tahsildar,
Taluk Office,
Kalaiyarkovil,
Sivagangai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 3rd respondent to conduct cycle riding test to complete the process of recruitment to the post of Village Assistant and appoint the petitioner in any future vacancy in the post of Village Assistant, by considering the representation of the Petitioner, dated 05.12.2022 and latest representation, dated 11.12.2023, within the period that may be stipulated by this Court.



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For Petitioner : Mr.K.Ponnaiah

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

The present writ petition has been filed by an aspirant to the post of Village Assistant seeking a Mandamus as against the authorities to conduct cycle riding test and to appoint her as Village Assistant.

2. The writ petitioner had appeared for an interview for the post of Village Assistant on 29.09.2014. After verification of certificates, she was asked to participate in the cycle riding test in the afternoon session. However, she could not participate on the said date due to the injuries suffered by her in a motor accident. Another person, by name Kaleeshwaran was appointed to the said post. The petitioner had filed W.P(MD)No.1344 of 2015 seeking a Mandamus directing the District Collector to reserve a seat for the post of Village Assistant and to grant her an opportunity for cycle riding test. This writ petition was dismissed on 26.11.2018 on the ground that though the petitioner was offered two chances, she has not used those chances and another person, namely Kaleeshwaran has already been appointed.



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3. Considering the above said facts, the present writ petition has been filed seeking the same prayer. Therefore, this Court is not inclined to entertain the writ petition. However, it is the contention of the learned counsel for the writ petitioner that the appointed person, namely Kaleeshwaran has been dismissed from service and there is a vacancy. In case, if there is a vacancy, as and when any notification is issued for recruitment, the petitioner is always at liberty to apply for the said post.

4. With the said observations, this writ petition stands dismissed.

No costs.

20.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To

- 1.The District Collector,
Sivagangai,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.
- 3.The Tahsildar,
Taluk Office,
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R.VIJAYAKUMAR,J.

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Order made in
W.P(MD)No.30393 of 2023

Dated:
20.12.2023