



WEB COPY



W.P.No.36611 of 2015

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.No.36611 of 2015
and M.P.No. 1 of 2015

A.Balakrishnan

....Petitioner

Vs.

1. The District Collector,
Salem District, Salem.

2. The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Salem.

3. The Tahsildar,
O/o. the Tahsildar, Salem – 1.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleased to issue a Writ of Certiorari, calling for the records relevant to the order in Na.Ka.15167/2012 A3 dated 02.11.2012 passed by the third respondent and quash the same as improper, illegal, unreasonable against the natural justice and thereby direct the respondents to give Thalaiyari post to the petitioner at M.Palapatti or any other place at Salem Taluk and District.

For Petitioner : No appearance

For Respondents : Mr.Stalin Abimanyu
Additional Government Pleader



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ORDER

The Writ Petition has been filed challenging the order of the third respondent dated 02.11.2012 and for consequential direction to direct the respondent to give Thalaiyari post to the petitioner at M.Palapatti.

2. It is the case of the petitioner that he had joined duty as Thalaiyari on 15.11.1976 and was serving in the post till 05.09.1979. While so, he went on medical leave on 06.09.1979, one L.Kandasamy was appointed temporarily in that place. However even after the petitioner reported for duty, he was never allowed to join in the duty. Due to which, the petitioner all along who kept silent made an representation on 04.06.2003 requesting the respondents to provide a job in any of the place where there is an vacancy. As his claim was not considered, had approached this Court in W.P.No.24846 of 2009 and this Court by order dated 16.04.2010 directed the respondents to consider the petitioner's representation on merits. However, claim of the petitioner was rejected by the impugned order of the third respondent dated 02.11.2012. Aggrieved by the same, the petitioner has filed this present writ petition.



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4. From the affidavit filed by the petitioner it could be seen that the petitioner was aged about 50 years at the time of filing of writ petition and though his services have been denied after 1979 he has not taken any steps but only in the year 2003, he had made his request of appointment which has been ultimately rejected by the respondent. As on date the prayer of the petitioner to direct the respondents to appoint him in the service cannot be considered as the petitioner has already attained the age of superannuation. In view of the same, the prayer sought for by the petitioner in this writ petition no longer survives.

5. Accordingly, the Writ petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

12.09.2024

Index :Yes/No

Neutral Citation : Yes



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Speaking order : Yes

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To

1. The District Collector,
Salem District,
Salem.
2. The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Salem.
3. The Tahsildar,
O/o. the Tahsildar,
Salem – 1.



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G.ARUL MURUGAN, J

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