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W.P.No.12489 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2024

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.12489 of 2023
& WMP Nos.12317 & 12318 of 2023

M.Srinivasan

.... Petitioner

-Vs-

- 1.The Government of Tamil Nadu
represented by the Secretary
Revenue and Disaster Management
Department, Fort St.George
Chennai 600 009.
- 2.The Additional Secretary
Government of Tamilnadu
Commissioner of Revenue Administration
Department of Revenue and Disaster Management
Ezhilagam, Chepauk, Chennai - 600 005.
- 3.The District Collector
Office of the District Collector
Krishnagiri District.
- 4.The Sub Collector
Sub-Collector's Office
Hosur, Krishnagiri District.
- 5.The Tahsildar
Taluk Office
Denkanikottai Taluk
Krishnagiri District.
- 6.The Assistant Director
District Employment Office
Krishnagiri District.



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7. G.Elango

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the 5th respondent in Na.Ka. 4522/2022/A2 dated 24.02.2023 and quash the same as illegal arbitrary discriminatory in so far as the 7th Respondent is concerned and consequently direct the 3rd and 5th respondents to appoint the petitioner as the Village Assistant in the Village Administrative office of BINNAMANGALAM Village of Denkanikottai -Taluk Krishnagiri District in the place of the 7th Respondent with effect from the date of the impugned order by granting to the petitioner with all consequential benefits.

For Petitioner : Mr.S.Gopi

For Respondents : Mr.G.Velu, Government Advocate
-for R1 to R6
R7 - Served, No appearance

ORDER

This writ petition has been filed challenging the proceedings of the fifth respondent in Na.Ka. 4522/2022/A2 dated 24.02.2023 and for a consequential direction to the respondents to appoint the petitioner as the Village Assistant in the VAO Office at Binnamangalam Village of Denkanikottai Taluk, Krishnagiri District in the place of the 7th respondent.



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2. The case of the petitioner is that a notification was issued for appointment to the post of Village Assistant for several villages. The petitioner also applied through online mode for Binnamangalam Village, Denkanikottai Taluk, Krishnagiri District. The petitioner attended the selection process and also the interview and he was waiting for the appointment order. The grievance of the petitioner is that the fifth respondent, through the impugned proceedings dated 24.02.2023 appointed the 7th respondent as the Village Assistant in the VAO Office for Binnamangalam Village. Aggrieved by the same, the present writ petition has been filed before this Court.

3. A counter affidavit has been filed by the 5th respondent. The 5th respondent has explained in the counter as to the number of applications that were received, the roster system that was followed and the marks that were secured by the petitioner and the 7th respondent. The 5th respondent has justified the selection of the 7th respondent to the post of Assistant and has sought for dismissal of this writ petition.

4. Heard Mr.S.Gopi, learned counsel for the petitioner and Mr.G.Velu, learned Additional Government Pleader for the respondents 1 to 6.

5. The short issue that arises for consideration in this writ petition is that, whether the selection of the 7th respondent for the post of Assistant in the VAO Office



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requires interference by this Court.

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6. Learned counsel for the petitioner raises two issues challenging the selection of the 7th respondent. The first issue is that the entire selection process was not transparent and even the final result was not declared. That apart, the 7th respondent had applied for the post of Village Assistant for a different village and whereas the 7th respondent has been appointed as Assistant in Binnamangalam Village.

7. Mr.G.Velu, learned Additional Government Pleader appearing on behalf of the official respondents submitted that the 5th respondent took steps to fill up the vacancies for the post of Village Assistants in Denkanikottai Taluk at Krishnagiri District. Totally 16 vacancies were identified in the said Taluk. Hence, applications were invited for the post of Village Assistants. Totally 730 applications were approved and they were permitted to attend the written examination. Out of the 730 candidates, only 460 applicants attended the written examination conducted by the 5th respondent. Thereafter, interview was also conducted and the marks secured both in the written examination and the interview was considered.

8. Learned Additional Government Pleader submitted that the petitioner secured 45 marks and the 7th respondent secured 70.33 marks. He further submitted



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that the appointment was made to concerned Taluk and therefore, just because the 7th respondent has chosen a particular village, that does not disentitle the 7th respondent from being selected and as per the roster system, the 7th respondent was appointed under the 'Most Backward Class (General)' Category. Learned Additional Government Pleader submitted that the entire selection process took place in a transparent manner and the selection was based purely on merits and that there is no scope for interference.

9. This Court has carefully considered the submissions made by the learned counsel for both sides and perused the materials placed on record.

10. In the considered opinion of this Court, the selection of Village Assistants had taken place for a particular Taluk viz., Denkanikottai Taluk, Krishnagiri District. All the villages fell within the said Taluk. Therefore, the applicants belonging to various villages can be considered for all the villages, since it all fell within the same Taluk. The manner in which the selection had taken place, considering the marks secured and the roster system that has been adopted shows that the 7th respondent was rightly selected to the post of Village Assistant. This Court does not find any illegality in the appointment of the 7th respondent as Village Assistant. The detailed counter affidavit filed by the 5th respondent gives the entire particulars regarding the appointment process adopted.



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11. In the light of the above discussion, there is no ground to interfere with the appointment of the 7th respondent as Village Assistant, Binnamangalam Village, Denkanikottai Taluk, Krishnagiri District. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

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Index : Yes/No
NCS : Yes/No
KST

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N.ANAND VENKATESH, J.

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