



WEB COPY



Writ Petition No.24505 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.08.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.24505 of 2024

Anburaj

... Petitioner

Vs.

1. The Director,
Commission for Scheduled Caste
2nd Floor, Block 5 Sastri Bhavan
Haddows Road, Chennai – 600 006
2. The Principal Secretary to Government,
Revenue Department,
Secretariat, Chennai 600 009
3. The Commissioner of Revenue Administration,
Ezhilagam, Chepauk,
Chennai – 600 005
4. The District Collector,
Thiruvallur District,
Thiruvallur – 602 001
5. The Tahsildar,
Uthukottai Taluk,
Tiruvallur District – 602 026
6. The District Employment Officer,
District Employment office,
Thiruvallur District – 602 001

... Respondents

Writ Petition filed under Article 226 of the Constitution of



Writ Petition No.24505 of 2024

India seeking issuance of a Writ of Mandamus directing the 1st respondent to consider the representations dated 30.8.2023 and 04.03.2024 submitted by the petitioner, with regard to the lapses committed and injustice meted out to the petitioner in the matter of his appointment as Village Assistant in Uthukottai Taluk, Thiruvallur District to investigate into the whole issue and to pass orders for initiating legal action against the concerned officials and pass such further appropriate orders to 5th respondent for appoint the petitioner as Village Assistant.

For Petitioners : Mr.T.Pradeep Raja
For Respondents : Mr.M.Bindran
Additional Government Pleader
Mr.R.Balaji
Standing counsel for R2

ORDER

This writ petition has been filed for the issue of writ of Mandamus directing the 1st respondent to consider the representation made by the petitioner with regard to the lapses committed and in justice meted out to the petitioner in the matter of appointment of Village Assistant at Uthukottai Taluk, Thiruvallur District.

2. The grievance of the petitioner is that he belongs to “Adi Dravida” Community classified as a Scheduled Caste. The



Writ Petition No.24505 of 2024

petitioner also registered his name in the District Employment Exchange in the year 1994. A notification was issued by the Government of Tamil Nadu to fill up 2714 vacancies of Village Assistant through out the State of Tamil Nadu by calling for list of eligible candidates from the District Employment Exchanges. The petitioner also applied for the same and his name was also recommended by the District Employment Exchange. He attended the interview on 18.01.2012 and also produced all the certificates for verification. He also attended the other tests conducted. His name also figured in Sl.No.44 in the list of SC (Open Competition) candidate.

3. The petitioner was not selected and many of the Juniors, who were registered later in the District Employment Exchanges were selected. Several complaints started pouring in regarding the illegal appointments that were made particularly concerning Uthukottai Taluk. In view of the same, appointments were cancelled by the Sub Collector, Thiruvallur on 17.02.2012. All those cancellation of appointment orders became a subject matter of challenge before this Court in a batch of writ petitions in WP Nos.12889 of 2012 etc. The writ petitions were disposed of by a common order dated 05.12.2014 directing the official



Writ Petition No.24505 of 2024

respondents to provide opportunity to the petitioners therein. Pursuant to the same, a show cause notice was issued by the Sub Collector, Thiruvallur, to nearly 20 candidates as to why their appointments should not be cancelled. An enquiry was also conducted and ultimately, the Sub Collector passed an order on 09.06.2015 canceling the appointments. The same again became a subject matter of challenge in a batch of writ petitions. Those writ petitions were allowed by an order dated 24.09.2024. This Court came to a conclusion that the Sub Collector does not have the jurisdiction and it is only the Tahsildar, who has the Jurisdiction to pass necessary orders.

4. The grievance of the petitioner is that nothing transpired thereafter and therefore, the petitioner made a representation on 30.08.2023 seeking for appointment as a Village Assistant. Since the same was not considered by the respondents, the present writ petition came to be filed before this Court.

5. In the considered view of this Court, the petitioner who is now aged about 45 years, is seeking for a direction to the respondents to consider his performance in the year 2012 and to give him



Writ Petition No.24505 of 2024

appointment as a Village Assistant. This request is made based on certain orders passed by this Court during the interregnum. The nature of relief that has been sought for by the writ petitioner cannot be granted by this Court. If ultimately, the official respondents decided to act upon the orders passed by this Court and the Tahsildar conducts an enquiry, that cannot create a cause of action for the writ petitioner to seek for appointment at this length of time for the selection that took place nearly 12 years back. Therefore, this Court does not find any merits in this writ petition and accordingly, the same stands dismissed. No costs.

27.08.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order
rka

To



Writ Petition No.24505 of 2024

1. The Director,
Commission for Scheduled Caste
2nd Floor, Block 5 Sastri Bhavan
Haddows Road, Chennai – 600 006
2. The Principal Secretary to Government,
Revenue Department,
Secretariat, Chennai 600 009
3. The Commissioner of Revenue Administration,
Ezhilagam, Chepauk,
Chennai – 600 005
4. The District Collector,
Thiruvallur District,
Thiruvallur – 602 001
5. The Tahsildar,
Uthukottai Taluk,
Tiruvallur District – 602 026
6. The District Employment Officer,
District Employment office,
Thiruvallur District – 602 001

N.ANAND VENKATESH, J

rka



WEB COPY



Writ Petition No.24505 of 2024

Writ Petition No.24505 of 2024

27.08.2024