



WEB COPY

W.P.(MD) No.7581 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.7581 of 2021
and
W.M.P.(MD) No.5752 of 2021

Muthukumar

... Petitioner

-vs-

1.The District Collector
Kanyakumari District
at Nagercoil

2.The Executive Officer
Theroor Town Panchayat
Theroor
Kanyakumari District

3.Rejukumar

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondents 1 and 2 to appoint the petitioner in the post of Overhead Water Tank Guard by considering the petitioner's representation dated 02.03.2021.



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For Petitioner : Mr.Jenifar Bibin
for Mr.T.Selvakumaran

For Respondents : Ms.D.Farjana Ghoushia
Special Government Pleader for R1 & R2

ORDER

The petitioner has filed this writ petition for a mandamus seeking for a direction to the respondents 1 and 2 to appoint him to the post of Overhead Water Tank Guard, by considering his representation dated 02.03.2021.

2. It is now represented by the learned Special Government Pleader appearing for the respondents 1 & 2 that the third respondent has already been appointed to the post of Overhead Water Tank Guard.

3. Learned counsel for the petitioner also agrees to the said submission.



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4. In this writ petition, the petitioner has sought only for a mandamus seeking for a direction as stated above. Since the third respondent has already been appointed to the said post and the said appointment order has been challenged by the petitioner, the question of granting the relief as such sought for in this writ petition does not arise as he has filed only a writ of mandamus and he has not filed a writ of certiorarified mandamus challenging the appointment order issued to the third respondent.

5. In view of the same, this writ petition is dismissed. However, liberty is granted to the petitioner to challenge the appointment order issued to the third respondent to the post of Overhead Water Tank Guard, in the manner known to the petitioner under law, if so desires. No costs. Consequently, connected miscellaneous petition is closed.

19.08.2024

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

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Kanyakumari District
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Theroor Town Panchayat,
Theroor,
Kanyakumari District.



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ABDUL QUDDHOSE, J.

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