



W.P.(MD) No.18590 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2024

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD)No.18590 of 2020

&

W.M.P.(MD).No.15545 of 2020

Selvapandi

... Petitioner

Vs.

1.The District Collector
Theni District
Theni

2.The Executive Officer
Town Panchayats
Andipatti,
Theni District

3.S.Ragunath

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the impugned proceedings issued by proceedings issued by the first respondent in NA.KA.No.1781/2019/Peru2 dated 29.11.2019 and quash the same and consequently direct the respondents 1 and 2 herein to promote the petitioner post of Supervisor under the 2nd respondent.



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For Petitioner : Mr.S.Sathyachidambaram
For Respondents : Mr.D.Sasikumar, AGP for R1 and 2
No appearance for R3

ORDER

This Writ petition has been filed questioning the appointment of 3rd respondent herein as supervisor on the ground that the appointment of 3rd respondent directly as supervisor would adversely affect the interest of the petitioner for his promotional avenues to the post of supervisor.

2. Petitioner herein was appointed as sweeper in the 2nd respondent Town Panchayat on 21.09.2007 and he has been working as such till date. As on the date of appointment of 3rd respondent herein as supervisor, the petitioner claims to be Sl. No.25 in the seniority list for promotion to the post of supervisor. As the 3rd respondent was appointed as supervisor directly on compassionate grounds consequent upon the death of his father, the petitioner contends that his promotional avenues are adversely affected. On that ground the appointment of 3rd respondent as supervisor is being challenged in the present Writ Petition.



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3. Except stating that the promotional avenues are going to be affected due to appointment of 3rd respondent as supervisor, no other irregularities in the appointment of 3rd respondent as supervisor is pointed out nor any illegality committed by the respondents 1 and 2 in appointing the 3rd respondent as supervisor is brought to the notice of this court.

4. Admittedly, the 3rd respondent was appointed as supervisor on compassionate grounds by taking into consideration of his educational qualification in terms of the scheme formulated by the State. In the absence of any illegality being pointed out in appointing the 3rd respondent as supervisor, this Court does not find any merit in the contention of the learned counsel for the petitioner on the ground that his promotional prospects would be adversely affected. Further, admittedly the petitioner is at Sl.No.25 in the list of sweepers claiming promotion to the post of supervisor. It is only after exhausting 24 persons who are above the petitioner, his claim for promotion to the post of supervisor would come up consideration. Thus, the chances of petitioner being promoted to the post of supervisor are also remote.



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5. In the light of the above, this Court does not find any merit in the Writ Petition. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

19.02.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

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To

1.The District Collector
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MUMMINENI SUDHEER KUMAR, J.

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