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W.P.(MD) No.10223 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2024

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD) No.10223 of 2018

and

W.M.P.(MD) Nos.9276 & 9277 of 2018

R.Kumaran

... Petitioner

-VS-

1.The District Collector
Trichirappalli District
Trichirappalli

2.The Revenue Divisional Officer
Mannachanallur
Trichirappalli District

3.The Thasildar
Taluk Office
Mannachanallur
Trichy District

4.Ramesh

... Respondents



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PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records relating to the proceedings dated 11.04.2018, on the file of the third respondent herein and quash the same consequently directing the respondents to appoint the petitioner for the post of Village Assistant, Perakambi Village, Mannachanallur Taluk, Lalgudi Division, Trichirappalli District.

For Petitioner : Mr.G.Manikandan

For Respondents : Mr.G.Suriya Ananth
Additional Government Pleader for R1 to R3
No appearance for R4

ORDER

This writ petition has been filed by the petitioner challenging the appointment of the fourth respondent to the post of Village Assistant pursuant to the recruitment notification issued by the official respondents. The petitioner has challenged the fourth respondent's appointment as a Village Assistant, on the ground that he is not residing in the village, where the appointment was made.



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2. A counter affidavit has been filed by the official respondents denying the allegations of the petitioner. According to them, only in accordance with the terms and conditions of the recruitment notification, the fourth respondent was appointed to the post of Village Assistant. The relevant condition in the recruitment notification, which is essential for the adjudication of this writ petition, is extracted hereunder:

“The person appointed to the Post shall belong to the Taluk to which he is appointed.”

3. The official respondents, in their counter affidavit, have categorically stated that the fourth respondent, who has been appointed as a Village Assistant, belongs to the Taluk to which he is appointed and therefore, he is eligible to be appointed as a Village Assistant. It is made clear in the recruitment notification that the person to be appointed to the post shall belong to the Taluk to which he is appointed. Admittedly, the fourth respondent belonged to the Taluk to which he was appointed as a Village Assistant by the official respondents. There is no evidence produced by the petitioner to show that the fourth respondent did not belong to the Taluk to which he was appointed as a Village Assistant. A categorical assertion has



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been made by the official respondents that the fourth respondent belonged to the Taluk to which he was appointed as a Village Assistant.

4. For the foregoing reasons, the contentions of the petitioner, as raised in this writ petition, do not deserve any merit and have to be rejected. In the result, there is no merit in this writ petition.

5. Accordingly, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

07.08.2024

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

krk



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ABDUL QUDDHOSE, J.

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