



W.P(MD)No.28673 of 2024

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 02.12.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN**

**W.P(MD)No.28673 of 2024**

R.Alagumalai

... Petitioner

Vs

- 1.The Hon'ble Additional Chief Secretary,  
Rural Development and Panchayat Raj Department,  
Secretariat of Tamil Nadu Government,  
Chennai, Tamil Nadu.
- 2.The Director,  
Directorate of Adi-Dravidar and Tribal Welfare Department,  
Chepauk, Chennai, Tamil Nadu.
- 3.The Chairman,  
National Commission for Scheduled Castes,  
Government of India, Lok Nayak Bhawan,  
Khan Market, New Delhi – 110 003.
- 4.The Assistant Director,  
National Commissioner for Scheduled Castes,  
Government of India, 2<sup>nd</sup> Floor, Block -5,  
Shastri Bhawan,  
Chennai, Tamil Nadu – 600 006.
- 5.The District Collector,  
Inspector of Panchayat Unions,  
Madurai District Collectorate,  
Madurai, Tamil Nadu.
- 6.The Personal Assistant to the District Collector,  
Development Section,  
Madurai District Collectorate,  
Madurai, Tamil Nadu.



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7.The Commissioner,  
Usilampatti Panchayat Union,  
Usilampatti, Madurai District, Tamil Nadu.

8.Ashiq,  
(Former Commissioner of Usilampatty Panchayat Union Office),  
Zeon Nagar 4<sup>th</sup> Street,  
Maravankulam, Thirumangalam Taluk,  
Madurai District, Tamil Nadu – 625 706.

9.S.Rajammal  
(Former Commissioner of Usilampatty Panchayat Union Office),  
Plot No.4, Shanmugavilas,  
Anjaneya Nagar 2<sup>nd</sup> Street,  
Thiruvalluvar Nagar,  
Madurai, Tamil Nadu – 625 706.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to pay the compensation sum of Rupees 30 lakhs to the petitioner by considering the petitioner's representation dated 18.08.2024 to the respondents 1 to 3 and recover it under Section 3(1)(viii)(ix), 4 and 7 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act r/w Article 14, 15, 16, 17 of Indian Constitution from the 8<sup>th</sup> and 9<sup>th</sup> respondent for their wilful disobedience, negligence while appointing the Usilampatty Panchayat Union Chairman Jeep Driver job appointment without considering the fifth respondent's cancelation order for earlier illegal appointment proposal in vide Na.Ka.No.43778/2014/Ou.Va.7 dated 21.01.2015 and without considering the sixth respondent's direction letter in vide Na.Ka.No. 43778/2014/Ou.Va.7 dated 20.03.2015 to give priority to SC (A) candidates and without considering his job applications from the year 2014 to 2015 particularly dated 27.04.2015 in the light of G.O.Ms.No.134, Rural Development and Panchayat Raj (E5) Department, dated 14.12.2009.



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For Petitioner : Mr.P.Murughasan  
For RR 1, 2 & 5 to 7 : Mr.M.Senthil Ayyanar  
Government Advocate  
For RR 3 & 4 : Mr.P.Subbiah  
Central Government Standing Counsel

**ORDER**

This Writ Petition has been filed by the petitioner for a direction directing the respondents 1 to 3 to pay compensation of Rs.30 lakhs.

2.The petitioner belonged to the Scheduled Caste Community (Arunthathiyar). He qualified with 8th standard and possessed a heavy vehicle driving licence. He is eligible to be appointed as a Driver. While being so, the post of driver was vacant for Scheduled Caste (Arunthathiyar) in the seventh respondent's office in the year 2014. The petitioner had applied for and the same was rejected. One Ramu, S/o.Pandi was appointed as a driver in the office of the seventh respondent. Therefore, the petitioner made a representation and subsequently, the appointment of the said Ramu was cancelled by the fifth respondent by its proceedings dated 20.01.2015 on the ground that the Community Roaster was not



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followed, the appointment committee was not constituted and the appointment was unilaterally made. The order of cancellation of the appointment was forwarded to the seventh respondent. The said cancellation of appointment order was under challenge before this Court by the said Ramu in W.P(MD)No.21125 of 2015. In the meanwhile, the petitioner also applied for the said post and the same was not considered and as such, he was constrained to approach this Court and filed a Writ Petition in W.P(MD)No.1552 of 2016 before this Court. Both the Writ Petitions were clubbed together and a common order was passed on 16.02.2022 thereby issued the following directions:

*10. Therefore, this Court is directing the respondents, especially, the District Collector, to pass the following orders:*

*a. The said Alagumalai shall be appointed in the vacancy of Krishnan and the Alagumalai is entitled to salary and other benefits from the date of appointment only*

*b. The said Ramu shall be appointed to the vacancy arose due to the transfer of Balasubramanian.*

*c. The said exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.'*



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3. Aggrieved by the same, the official respondents as well as the said Ramu filed Writ Appeals in W.A(MD)Nos.687, 688, 775 & 776 of 2022 before the Hon'ble Division Bench of this Court. The Hon'ble Division Bench of this Court, by order dated 17.08.2022, held that the appointment of the said Ramu as a jeep driver was clearly illegal and contrary to the Government Orders and rules of reservation. The appeals preferred by the respondents 5 to 7 herein in W.A(MD)Nos.687 and 688 of 2022 were allowed. However, the appeals filed by Ramu and R.Alagumalai/the petitioner herein in W.A(MD)Nos.775 and 776 of 2022 were dismissed. Aggrieved by the same, the said Ramu preferred an appeal before the Hon'ble Supreme Court of India in Special Leave Petition (Civil) Diary No.30721 of 2022 and obtained an interim order of stay dated 08.12.2022 and it is pending. However, the petitioner failed to file any appeal as against the said order before the Hon'ble Supreme Court of India. Thereafter, the petitioner submitted a representation before the fifth respondent to appoint him in the post of Jeep Driver for the Usilampatti Panchayat Union Office. However, the said representation was rejected on the ground that the issue had already been seized by the Hon'ble Supreme Court of India. Due to mental agony suffered by the petitioner and non-appointing him as



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a Driver, he submitted a representation seeking compensation to the tune of Rs.30 lakhs.

4.It is unfortunate to state that in what circumstances, the petitioner submitted a representation claiming compensation that too for a sum of Rs.30 lakhs. In fact, the Writ Petition filed by the petitioner was dismissed by the Hon'ble Division Bench of this Court by allowing the appeal filed by the respondents 5 to 7 herein. The petitioner failed to file any appeal. However, he filed Review Application in Review Application (MD)No.135 of 2022 as against the order passed in W.A(MD)No.688 of 2022, dated 17.08.2022 and the same was also dismissed by this Court by order dated 14.06.2024 on the ground that already the matter has been pending before the Hon'ble Supreme Court of India and also granted stay thereby staying the operation of the Judgment dated 17.08.2022. Therefore, this Court finds absolutely no merits in this Writ Petition to consider the representation submitted by the petitioner seeking compensation of a huge sum of Rs.30 lakhs. Nowadays it is a common trend to seek compensation for anything since both the State Government as well as Central Government are liberal to pay compensation for any cause, that too, not due to any negligence on



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the part of the Government. Therefore, this Court cannot be a party to that proceedings. In view of the above, this Writ Petition itself is devoid of merits and the same is liable to be dismissed.

5. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

**02.12.2024**

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

To

1. The Additional Chief Secretary,  
Rural Development and Panchayat Raj Department,  
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Chennai, Tamil Nadu.
2. The Director,  
Directorate of Adi-Dravidar and Tribal Welfare Department,  
Chepauk, Chennai,  
Tamil Nadu.
3. The Chairman,  
National Commission for Scheduled Castes,  
Government of India, Lok Nayak Bhawan,  
Khan Market, New Delhi – 110 003.



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- 4.The Assistant Director,  
National Commissioner for Scheduled Castes,  
Government of India, 2<sup>nd</sup> Floor, Block -5,  
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- 5.The District Collector,  
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- 6.The Personal Assistant to the District Collector,  
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- 7.The Commissioner,  
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Usilampatti,  
Madurai District, Tamil Nadu.



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**G.K.ILANTHIRAIYAN, J.**

ps

Order made in  
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