



W.P.(MD)No.30577 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.04.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.30577 of 2023

and

W.M.P.(MD).Nos.26289 and 26290 of 2023

S.Karthikeyan

... Petitioner

Vs.

1.The Field Director and Conservator of Forest,
Kalakadu Mundanthurai Tiger Social Forestry,
NGO 'B' Colony,
RTO Office Backside,
Tirunelveli.

2.The Divisional Forest Officer,
Social Forestry and Extension Division,
North Main Road,
NGO 'A' Colony,
Tirunelveli – 7.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records of the impugned order passed by the second respondent in his proceeding in Na.Ka.No.5017/2023/M dated 07.12.2023 and quash the same as illegal and further directing the respondents 1 and 2 herein to fill up the post of Data Entry Operator post in the second respondent office by following minimum transparent selection process.



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For Petitioner : Mr.V.Meenakshi Sundaram

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

Heard Mr.V.Meenakshi Sundaram, learned counsel for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader for the respondents.

2. This Writ Petition has been filed seeking to quash the order dated 07.12.2023 passed by the second respondent and further directing the respondents 1 and 2 herein to fill up the post of Data Entry Operator post in the second respondent office by following minimum transparent selection process.

3. Mr.V.Meenakshi Sundaram, learned counsel for the petitioner submitted that the petitioner is one of the applicants to the post of Data Entry Operator on contractual basis. The second respondent vide proceedings dated 11.08.2023 invited applications for engaging contractual staffs in the Tamil Nadu Bio-Diversity Conservation and Greening Project for one year period through news paper (Dinamani) advertisement dated 12.08.2023. The petitioner has applied for the said post on 16.08.2023. However, the petitioner was not

<https://www.mhc-ta.gov.in/judicial> appointed to the said post by the second respondent, but a person viz., Prabhu



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who was a staff in NMR had been appointed in the said post. In such circumstances, the petitioner preferred a representation dated 15.11.2023 and requested to follow the minimum transparent selection process to the said post. In pursuance thereof, the second respondent through his impugned proceedings dated 07.12.2023 stated that the selection process has been done after scrutinizing the applications received by the scrutiny committee. Even according to the petitioner, he had applied to the post on 16.08.2023, in pursuant to the notification dated 11.08.2023.

4. Mr.S.Shanmugavel, learned Additional Government Pleader submitted that the selection committee has thoroughly scrutinized three applicants who had fulfilled the requirement criteria and they have been short listed. One candidate by name D.Prabhu Neill Rajkumar is found to be eligible for the post of Data Entry Operator on contract basis. Having known the eligibility criteria and the selection process, the petitioner has applied to the said post. In the notification itself the recruitment process has been stated as a simple mechanism adopted by the selection committee. The notification does not contemplate any written examination and interview process, but solely depend upon the qualification borne out by the documents submitted by the applicants. Even if there might be any interview process by calling more than one candidate during the selection method, that can be done only when there are more than



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one eligible candidate available for selection. Since the selection committee has short listed only one person as eligible for the appointment, no necessity arose for conducting an interview by calling more than one candidate.

5. Hence, I do not find any reasons for setting aside the selection process that has been already over and on which the appointment has been given for a short time of one year contract.

6. In view of the above, this Writ Petition is **disposed of**. No costs. Consequently, connected miscellaneous petitions are closed.

15.04.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr

To:

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R.N.MANJULA, J.

Nsr

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