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W.P.No.12602 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 10/6/2025

C O R A M

The Hon'ble Mr.**JUSTICE MUMMINENI SUDHEER KUMAR**

Writ Petition No.12602 of 2012

N. Ragupathi ... Petitioner

Vs

1. The District Collector
Thiruvannamalai District
Thiruvannamalai.

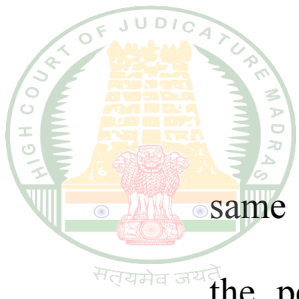
2. The Tahsildar
Vandavasi Taluk
Vandavasi
Thiruvannamalai District.

3. The District Employment Officer
District Employment Exchange
Thiruvannamalai
Thiruvannamalai District.

...

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India
praying for the issuance of a writ of certiorarified mandamus to call for the
records of the second respondent in Na.Ka.A5/3970 dated 10/11/2011 and
further proceedings in Na.Ka.A.3970-2011 dated 20/12/2011 and quash the



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same and consequently direct the second respondent to give appointment to the petitioner as Village Assistant w.e.f 28/9/2008 by granting all the benefits.

For petitioner	...	Mr.A.Ilaya Perumal
For respondents	...	Mr.K.H.Ravikumar Government Advocate

ORDER

This writ petition has been filed aggrieved by the order dated 10/11/2011 in Na.Ka.A.3970-2011 and further proceeding dated 20/12/2011 passed by the second respondent in Na.Ka.A5/3970, whereby the claim made by the petitioner for the post of Village Assistant was considered and rejected.

2. It is the case of the petitioner that his name was sponsored by the third respondent in response to the requisition received from the second respondent for appointment to the post of Village Assistant for the year 2008 and accordingly, the petitioner was called for an interview through letter dated 23/9/2008 scheduling the interview on 30/9/2008. However, the said interview was deferred by the second respondent through his letter dated 2/6



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28/9/2008 and thereafter, the petitioner was not called for an interview.

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3. It is the further case of the petitioner that on enquiry, he came to know that some other candidates were appointed to the post of Village Assistant. Under those circumstances, the petitioner had submitted a representation to the second respondent and since the same was not considered, the petitioner had approached this Court by way of a writ petition in W.P.No.5138 of 2011. Vide, order dated 16/8/2011, this Court had directed the second respondent therein to consider the case of the petitioner, within a period of eight weeks, from the date of the said order. Accordingly, the second respondent had considered and rejected the claim of the petitioner. Being aggrieved by the same, the petitioner has come forward with the instant writ petition.

4. Heard Mr.A.Ilaya Perumal, learned counsel for the petitioner and Mr.K.H.Ravi Kumar, learned Government Advocate for the respondents.

5. A perusal of the second counter affidavit filed by the third respondent, dated 24th September 2024, disclose that the second respondent



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initially had called for list of candidates by prescribing the age limit as 37 years for Most Backward Class candidates, but when the second respondent called for list of candidates second time, the age limit was prescribed by the Tahsildar, Vandavasi in the Notification dated 22/1/2009 was 40 years for Most Backward Class. It is also further stated in the counter affidavit that, as against Most Backward Class General non priority category, one Mr.N.Natarajan, was selected and appointed who got registered his name in the employment exchange on 21/2/1985. The name of the petitioner herein was registered under the employment exchange on 29/8/1988 i.e., three years after the registration of the selected candidate.

6. Along with the counter affidavit filed by the third respondent copies of the relevant materials are also enclosed.

7. In response to the counter filed by the third respondent, the petitioner had filed a reply stating that the third respondent without maintaining all the records relating to the case on hand, and having said that the records were destroyed in his first counter, can't now furnish the particulars to deny the relief to the petitioner.



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8. This Court is unable to agree with the said contention. The respondents while filing the second counter affidavit, the District Employer Officer, Tiruvannamalai has tendered his unconditional apology for taking a stand the first counter affidavit about the destruction of the records.

9. In the light of the above, it is evident that the person who got selected against MBC General Non-priority category is senior to the petitioner herein in the employment registration and therefore, there is nothing wrong in not sponsoring the name of the petitioner for the post of Village Assistant.

10. In the light of the above, this Court does not find any reason to entertain this petition on the ground of non-sponsoring the name of the petitioner for the post of Village Assistant.

MUMMINENI SUDHEER KUMAR,J
mvs.

11. In the result, this **writ petition is dismissed.** No costs.



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mvs.

Index: Yes/No

Neutral citation: Yes/No

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