



WEB COPY



W.P.No.23441 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.23441 of 2025

And

W.M.P.No.26306 of 2025

K.Balamurugan

... Petitioner

Vs.

- 1.The District Collector,
Cuddalore District,
Cuddalore.
- 2.The District Revenue Officer,
Cuddalore,
Cuddalore District.
- 3.The Sub Collector,
Chidambaram,
Cuddalore District.
- 4.The Tahsildar,
Kattumannarkoil Taluk,
Kattumannarkoil,
Cuddalore District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to permit the petitioner to rejoin duty as Village Assistant in any of the Village under control of the respondents.



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For Petitioner : Mr.C.Prakasam
For Respondents : Mr.R.Sasikumar
Government Advocate

ORDER

Mr.R.Sasikumar, learned Government Advocate takes notice on behalf of the respondents. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to permit the petitioner to rejoin duty as Village Assistant in any of the Village under control of the respondents.

3.The learned counsel appearing for the petitioner would submit that due to family circumstances, the petitioner gave resignation letter on 14.11.2019 and based on that, the Government also relieved him from service vide order dated 13.01.2020. It is the submission of the petitioner that subsequently, he filed a writ petition before this Court to consider him in the appointment. When his representation was considered by the respondent, they have passed an order on 20.02.2025 that as and when vacancy arises, they would consider the petitioner's request. It is the further submission of the learned counsel



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that inspite of such reply, they are going to fill up the post by way of Notification dated 04.06.2025. Hence prayed to interfere with the same.

4.At this juncture, the learned Government Advocate would submit that the petitioner resigned from service. Therefore, he cannot be construed as an employee of the Government. If at all, he want to join any post, he must participate in the exam and public employment cannot be given as a matter of right to the petitioner.

5.I have given my anxious considerations to either side submissions.

6.The factum of resignation and acceptance of resignation is not in dispute. Therefore, the petitioner is no longer an employee. For any re-employment the petitioner has to participate in the examination conducted or any other test conducted by the Department. It is well settled principle of law that public employment cannot be filled through recommendation or by any short cut method. Here the approach of the petitioner is nothing but to get employment through short cut method, which this Court cannot entertain.



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C.KUMARAPPAN,J.

pri

7.In the result, the writ petition is dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

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