



W.P.No.26828 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.02.2025

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.26828 of 2023

and

W.M.P.No.26250 of 2023

M. Pichapillai

.. Petitioner

Versus

1. The Commissioner,
Department of Revenue and Disaster Management,
Ezhilagam, Chepauk, Chennai – 600 005.

2. The District Collector,
Kallakurichi District
Tamil Nadu.

3. The District Revenue Officer,
Kallakurichi District,
Tamil Nadu.

4. The Revenue Divisional Officer,
Kallakurichi District, Tamil Nadu.

5. The Tahsildar,
Sankarapuram Taluk,
Kallakurichi District, Tamil Nadu.

6. The Commissioner,
District Employment Exchange,
Kallakurichi District.

...Respondents



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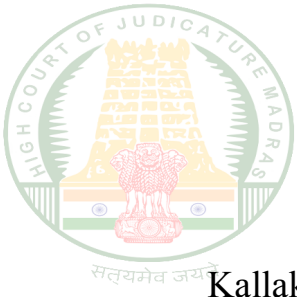
WEB COPY Prayer: This petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents 1 to 6 to consider the interview call letter sent by the 5th respondent for the post of Village Assistant for the Villages Kalliparai and Mandakapadi and to appoint the petitioner for the said post for any one of the two villages namely Kalliparai or Mandakapadi, Kallakurichi District or for any other jurisdiction villages for which the petitioner is eligible by following the rules of reservation in the appointment of Village Assistants and pass orders.

For Petitioner : Mr.A.B.Sangamithra

For Respondent : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader

ORDER

This writ petition is filed seeking to issue a Writ of Mandamus directing the Respondents 1 to 6 to consider the interview call letter sent by the 5th respondent for the post of Village Assistant for the Villages Kalliparai and Mandakapadi and to appoint the petitioner for the said post for any one of the two villages namely Kalliparai or Mandakapadi,



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Kallakurichi District or for any other jurisdiction villages for which the petitioner is eligible by following the rules of reservation.

2.The facts of the case is that the petitioner belongs to Hindu, Adi Dravidar, Scheduled Caste and he is physically handicapped person. It is pertinent to note that the District Differently Abled Welfare Officer, Kallakurichi District has issued a disability certificate to the petitioner and he has also registered before the District Employment and career Guidance Centre, Villupuram for reservation for disabled person in Government Employment. When this being the case the Department of Revenue and Disaster Management has issued notification dated 10.10.2022 for recruitment of 2748 post of Village Assistants and a Government Order was issued by the Department on 10.10.2022 to include 4% reservation for persons with disability in the recruitment of posts for Village Assistants. Thereafter, the Tahsildar of Kalvarayanmalai has issued a call letter to the petitioner for the post of Village Assistant on 25.01.2021 and the petitioner has also submitted online application for the post and he was issued with the hall ticket for



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written examination dated 04.12.2022. It is pertinent to note that the petitioner has cleared written examination and he has been issued with a call letter for interview on 16.12.2022. Subsequent to which the petitioner also cleared the physical fitness test. The grievance of the petitioner is that so far the petitioner was not informed about the result for the Village Assistant Post for the Kallipparai and Mandakapadi Villages. Hence, this writ petition.

3. The learned counsel for the petitioner submitted that the official respondents ought to have enforced reservation in public employment provided for the reason that the petitioner is suffering from disability and also ought to have considered the petitioner for the employment for the post of Village Assistant based on the preference for “Certificate of Released Bonded Labour” issued by the 4th respondent. Hence, prays to allow this petition.

4. The learned Additional Government Pleader appearing for the Respondent filed a counter affidavit, wherein, it has been stated that they agree with the fact that the petitioner is having necessary certificate issued by the RDO, Kallakurichi to the effect that he is a released bonded



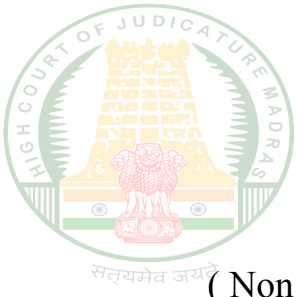
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labour. It is further stated that the appointment to the post of Village Assistant is being made under the rule of reservation of appointment as laid down in Rule 22 of the General Rules for the State and Subordinate Services and under a modified 200- point Roster issued in G.O.Ms.No.122 (P & AR) Dept, dt 02.11.2021. According to the reservation list, this Mandagapadi Village falls under the category SC-General (Non-priority). The petitioner may apply for the post of Village Servant under the reserved category, whenever a notification is published for filling up of the post under such category. As such, he is not eligible for consideration either in the category of “ Persons freed from Bonded Labour system” as far as Mandagapadi Village concerned it is reserved for SC-General (Non-priority) category.

5. Heard both sides and perused the materials available on record.

6. On a perusal of records it is seen that even though the petitioner deserves to be considered for appointment to the post, the hindrance is that as the Mandagapadi Village falls under the category SC- General



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(Non Priority), due to which the petitioner is not eligible.

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7. In view of the above facts, it is made clear that the prayer sought for by the petitioner cannot be granted at this stage. Accordingly this petition is dismissed. No order as to costs. Consequently, the connected miscellaneous petition is closed. However, the petitioner may apply for the post of Village Servant under the reserved category, whenever a fresh notification is published for filling up of the post under such category.

14.02.2025

Speaking order : Yes/No
Neutral citation : Yes/No
Index : Yes/No
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V.BHAVANI SUBBAROYAN, J.

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