



W.A.(MD) No.1118 of 2019

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.03.2025

CORAM:

**THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

W.A.(MD) No.1118 of 2019

and

C.M.P.(MD) Nos.9982 of 2019 & 3703 of 2022

K.Karthik

... Appellant

-vs-

1.S.Sivaraj

2.The Assistant Director (Town Panchayat)
O/o.Assistant Director of Town Panchayat
1st Floor, Collectorate Complex
Dindigul, Dindigul District

3.The Executive Officer
Keeranur Town Panchayat
Keeranur, Palani Taluk, Dindigul District

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 14.08.2019, passed in W.P.(MD) No.1736 of 2015, on the file of this Court.

For Appellant : No appearance

For Respondents : Mr.N.Thirukumaran for R1
Mr.D.Gandhiraj
Special Government Pleader for R2 & R3



W.A.(MD) No.1118 of 2019

WEB COPY

J U D G M E N T

DR.G.JAYACHANDRAN, J.
AND
R.POORNIMA, J.

A patent personal bias in the selection process is exposed in the writ petition filed by the first respondent herein.

2. The facts of the case are that for the post of Sanitary Worker in Keeranur Town Panchayat, a list of eligible candidates were called for from the Employment Exchange by the respondent – Town Panchayat. The names of the writ petitioner Sivaraj and the appellant herein, namely, Karthick, were in the list along with other candidatess. The Interview / Selection Committee constituted by the respondent – Town Panchayat consists of the Members of the Ward, in which, the father of the said Karthick (appellant herein) was one of the members. He had participated in the selection process of his own son, selected his son (appellant herein) and signed in the resolution also. Having come to know about this, the unsuccessful candidate Sivaraj had filed the writ petition in W.P.(MD) No.1736 of 2015 seeking to quash the appointment of the said Karthick and to conduct a fresh interview for the post of Sanitary Worker.



W.A.(MD) No.1118 of 2019

WEB COPY

3. The learned Single Judge called for the records from the respondent – Town Panchayat, perused the same and found that the father of the successful candidate, namely, Karthick was one of the members in the Interview / Selection Committee and also signatory to the resolution of the selection of candidates to the post of Sanitary Worker and hence, by an order dated 14.08.2019, allowed the said writ petition and quashed the selection of the said Karthick.

4. Being aggrieved by the said order, the said Karthick has preferred the present writ appeal by contending that his father did not participate in the Interview / Selection Committee and the Appointment Committee consists of the Chairman, Executive Officer and Senior Ward Member of the Town Panchayat and his father had no role in the interview / selection process and the Executive Officer of the respondent – Town Panchayat is the competent authority to finalize the list of selected candidates. Further, it is contended that the appointment of the appellant was as per the merits and performance in the interview and hence, there is no violation or illegality in the appointment of the appellant herein to the post of the Sanitary Worker.



W.A.(MD) No.1118 of 2019

WEB COPY

5. The presence of the appellant's father in the Interview / Selection Committee by itself is sufficient to hold that there is a personal bias involved in the selection process. That apart, the learned Single Judge had called for the records from the respondent – Town Panchayat and found that the father of the appellant herein, was not only a member of the Appointment Committee, but he had conducted the interview of his own son along with the other candidates, selected him and also signed in the minutes of appointment to the post of Sanitary Worker. In the said circumstances, the observation of the learned Single Judge that the appointment of the appellant herein as illegal, improper and against all canons of justice, is the appropriate observation and expression to be made in this case.

6. In the result, this writ appeal is dismissed. The interim order granted by this Court on 01.11.2019 is vacated. No costs. Consequently, connected miscellaneous petitions are closed.

[G.J., J.] [R.P., J.]
20.03.2025

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

krk

Page 4 of 6



W.A.(MD) No.1118 of 2019

WEB COPY

To:

- 1.The Assistant Director (Town Panchayat),
O/o.Assistant Director of Town Panchayat,
1st Floor, Collectorate Complex,
Dindigul, Dindigul District.
- 2.The Executive Officer,
Keeranur Town Panchayat,
Keeranur, Palani Taluk,
Dindigul District.



WEB COPY



W.A.(MD) No.1118 of 2019

DR.G.JAYACHANDRAN, J.
AND
R.POORNIMA, J.

krk

W.A.(MD) No.1118 of 2019
and
C.M.P.(MD) Nos.9982 of 2019 & 3703
of 2022

20.03.2025