



W.P.(MD).No.138 of 2017

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.02.2025

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.138 of 2017

and

W.M.P.(MD)Nos.119, 120 of 2017 and 19686 of 2023

Thirumalaisamy

... Petitioner

Vs.

1.The District Collector,  
Tirunelveli District,  
Tirunelveli.

2.The Revenue Divisional Officer,  
Tirunelveli Revenue Division,  
Tirunelveli District,  
Tirunelveli.

3.The Tahsildar,  
Sankarankovil Taluk,  
Sankarankovil,  
Tirunelveli District.

4.Thirumalai Selvi

... Respondents

**PRAYER** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a ***Writ of Certiorarified Mandamus***, to call for the records pertaining to the impugned order Na.Ka.No.A7/404/2016, dated 30.11.2016, passed by the 3<sup>rd</sup> respondent and to quash the same as void and illegal and thereby, to direct the respondents 1 to 3 to select this petitioner to the Village



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Assistant post for Therkku Sankarankovil Village as he is the only deserved.

For Petitioner : Mr.F.X.Eugene  
For R1 to R3 : Mr.M.Sarangan  
Additional Government Pleader  
For R4 : Mr.J.Lawrance

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### **ORDER**

This writ petition is filed for issuance of a Writ of *Certiorarified Mandamus*, to call for the records pertaining to the impugned order, dated 30.11.2016, passed by the 3<sup>rd</sup> respondent and to quash the same as void and illegal and thereby, to direct the respondents 1 to 3 to select this petitioner to the Village Assistant post for Therkku Sankarankovil Village.

2.The contention of the petitioner is that he is fully qualified to be appointed to the said post of Village Assistant. However, the respondents 1 to 3 have selected the 4<sup>th</sup> respondent and appointed her.

3.The contention of the petitioner cannot be accepted for several reasons. The petitioner was 44 years old at the time of filing this writ petition and as on date, he is more than 52 years old. Therefore, he has crossed the age. The next reason is that the qualification fixed for the post of Village Assistant is 8<sup>th</sup> fail



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but the petitioner is 10<sup>th</sup> fail. Therefore, he is over qualified for the said post and the selected candidate, ie., the 4<sup>th</sup> respondent is 8<sup>th</sup> fail. Therefore, for these reasons, the present writ petition cannot be entertained. Hence, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

**27.02.2025**

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

To

- 1.The District Collector,  
Tirunelveli District,  
Tirunelveli.
- 2.The Revenue Divisional Officer,  
Tirunelveli Revenue Division,  
Tirunelveli District,  
Tirunelveli.
- 3.The Tahsildar,  
Sankarankovil Taluk,  
Sankarankovil,  
Tirunelveli District.



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**S.SRIMATHY, J.**

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