



WEB COPY

W.A.No.1685 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.A.No.1685 of 2022

S.Sampath

...Appellant

Vs.

1.The District Collector,
Thiruvallur District,
Thiruvallur.

2.The Revenue Divisional Officer,
Tiruttani,
Thiruvallur District.

3.The Tahsildar,
Tiruttani Taluk,
Tiruttani,
Thiruvallur District.

4.The Tahsildar,
Pallipattu Taluk,
Thiruvallur District.

...Respondents

PRAYER: The Writ Appeal filed under Clause 15 of the Letters Patent praying to set aside the order dated 20.12.2021 in W.P.No.14907 of 2012 and allow the Writ Appeal.

For Appellant : Mr.Venkataswamy Babu

For Respondents : Dr.S.Suriya,
Addl. Govt. Pleader



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J U D G M E N T

WEB COPY(Judgment of the Court was delivered by C.KUMARAPPAN, J.)

The present Writ Appeal is filed assailing the order of the learned Single Judge dated 20.12.2021, by and in which, the learned Single Judge confirmed the cancellation of appointment dated 09.01.2012.

2. The learned counsel for the appellant would vehemently contend that the appellant was appointed in the post of “Village Guard” vide appointment letter dated 26.11.1992 by the Tahsildar. However, without issuing any notice, the same was cancelled on 09.01.2012 by the Revenue Divisional Officer [RDO]. Therefore, the very cancellation by RDO without issuing any notice or without following the natural justice is liable to be quashed.

3. However, the said contention was stoutly objected by the learned Additional Government Pleader and would contend that the persons who were issued with appointment letter including the appellant have sought an appointment based upon the appointment letter dated 26.11.1992 by filing a Writ Petition, which was again taken up in appeal in W.A.No.1083 of 2010, wherein, the request prayed by the appellant and other persons were rejected. Therefore, the issue has already been settled by the order of the Division Bench dated 30.08.2011. Therefore, the very attempt made by the petitioner in the present Writ Petition is a re-litigation and apart from that it is the



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contention of the learned Additional Government Pleader that the very appointment letter was issued by the Tahsildar without following any Rules and that the appointment is shrouded with fraud played by many persons. Therefore, the question of retaining the appointment does not arise. Hence, prayed to dismiss the Writ Appeal.

4. We have given anxious consideration to the submissions of the learned counsel on either side.

5. The main contention put forth by the learned counsel for the appellant is that before issuing cancellation order by the RDO dated 09.01.2012, he was not issued with prior notice. But, while looking into the impugned order, it was recorded that the petitioner was not sponsored by the employment exchange and that the letter was fabricated. Even in the impugned order it is recorded that some fraud has been played while obtaining the appointment letter.

6. The learned Additional Government Pleader would bring the attention of this Court to the Government Order in G.O.(Ms.)No.787, Revenue Department, dated 06.12.2006. According to the above Government Order, if any appointment is made by the Tahsildar it must be concurred by RDO. In the case on hand, RDO has not concurred with the appointment order dated 26.11.1992. It is also relevant that as per the Government Order the



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appointment of a candidate ought to have been sponsored by the employment exchange. In the case in hand, the petitioner though pleaded that he was sponsored, but the RDO found that no such sponsor was made by the employment exchange.

7. Therefore, only upon the ground of fraud, RDO being the higher official, and competent Authority to issue appointment order, has cancelled the appointment order issued by the incompetent authority viz., Tahsildar. Therefore, we do not find any infirmity in the order of the learned Single Judge.

8. In the result, the present Writ Appeal stands **dismissed**. No costs.

(S.M.S., J.) (C.K., J.)
24.02.2026

dsa
Index :Yes/No
Neutral Citation :Yes/No
Speaking/Non-speaking order



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To

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and
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