



WP(MD). No.1307 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 26/03/2026

CORAM

THE HON'BLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

WP(MD). No.1307 of 2023
and WMP(MD)No.1203 of 2023

Marimuthu.V.

Vs.

... Petitioner

1. The Additional Chief Secretary to
Government / Commissioner of
Revenue Administration, Chepauk,
Chennai - 5.

2. The District Collector,
Tirunelveli District, Tirunelveli.

3. The Revenue Divisional Officer,
Tirunelveli District, Tirunelveli.

4. The Tahsildar,
Tisayanvilai, Tirunelveli District.

5. The Commissioner
For the Welfare of Differently Abled Person,
State Commissionerate For the Welfare of
Differently Abled Persons,
the Lady Willingdon College Campus,
Chennai -.

6. Alagesh

1/6



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7. Anthony Isaikkimutruhu

8. Rajalakshmi

... 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 appointment order issued by the 4th respondent through its proceeding No. Na.Ka. A3/2332/2022 dated 11.01.2023 and quash the same and to direct the respondents to appoint the petitioner for the post of Village Assistant (Thalayari) Post at Tisayanvilai Taluk, Tirunelveli District by giving priority to the petitioner since she is a Physically disabled person and in accordance with 4% reservation provided in G.O. Ms. No.21, Welfare of Differently abled Person (DAP) Department dated 30.05.2017 and priority provided in G.O(Ms)No.122-Human Resource Development dated 02.11.2021.

For Petitioner : Mr.Jinnah S.M.A
For R1 to R4 : Mr.Shaji Bino
Special Government Pleader
For R6 to R8 : Mr.M.Govindan

ORDER

This writ petition is filed at the instance of an unsuccessful candidate, who was participated in recruitment process pursuant to the Notification in 2332/2022 dated 12.10.2022 issued by the fourth respondent.



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2. The petitioner has filed the present petition challenging the proceedings bearing Na.Ka.No.A3/2332/2022 dated 11.01.2023 whereby the respondents 6 to 8 and 2 others were appointed as Village Assistants of various villages in Tisayanvilai Taluk at Tirunelveli .

3. The main ground of attack is that the fourth respondent while issuing the impugned notification has not provided for reservation in favour of physically disabled persons though the same is mandated under the provisions of Right of Persons with Disabilities Act, 2016. A perusal of the notification dated 12.10.2022 itself discloses that all the five posts that were notified under the said Notification earmarked for different categories of candidates by following the roster system provided under the provision of Tamil Nadu Government Servants (Conditions of service) Rules, 2016, and there is no roster point earmarked for physically disabled persons under the impugned Notification. However, the petitioner has participated in the recruitment process with open eyes fully knowing that no post is earmarked for physically disabled candidates. However, the petitioner, after participating in the recruitment process that is appearing for written examination and interview, was



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emerged as an unsuccessful candidate and the respondents 6 to 8 herein and 2 others were selected and appointed to the respective villages.

Having participated in the very recruitment process, the petitioner is now challenging the impugned order appointing the respondents 6 to 8 and two others as Village Assistants on the ground that the reservation is not provided in favour of physically disabled persons. It is now well settled that the person, who participated in recruitment process pursuant to a notification, is not entitled to challenge the said notification nor the appointments made under the said notification by finding fault with the very notification itself.

4. In the circumstances, this Court does not find any merit in the writ petition and the same is dismissed. Consequently, connected miscellaneous petition is closed.

26.03.2026

Index : Yes/No
Internet : Yes/No
CM



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TO

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MUMMINENI SUDHEER KUMAR,J

CM

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