



W.P.(MD) No.8845 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.03.2026

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.8845 of 2023

and

W.M.P.(MD) Nos.8066 & 8067 of 2023

Sureshkumar

... Petitioner

Vs.

1.The District Collector,
O/O.District Collector,
Ramanathapuram,
Ramanathapuram District

2.The Tahsildar,
Taluk Office, Paramakudi Taluk,
Ramanathapuram District.

3.Pradeep

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in A5/10066/2022 dated 14.01.2023 passed by the second respondent, quash the same as illegal, arbitrary and consequently direct the second respondent to appoint the petitioner as Village Assistant, in Thaduthalakottai, Paramakudi Taluk, Ramanathapuram District, in accordance with law.



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For Petitioner : Mr.D.Balamurugapandi
For R1 & R2 : Mr.S.Shaji Bino
Special Government Pleader
For R3 : Mr.K.Dinesh

ORDER

This Writ Petition has been filed challenging the impugned proceedings bearing reference No.A5/10066/2022 dated 14.01.2023 issued by the second respondent, whereby the third respondent was appointed as Village Assistant in Thaduthalakottai Village, Paramakudi Taluk, Ramanathapuram District.

2. The petitioner herein and the third respondent herein participated in the recruitment process for the post of Village Assistant in Thaduthalakottai Village, Paramakudi Taluk, Ramanathapuram District, which is earmarked for the Aathithiravidar (SC) category.

3. It is the contention of the petitioner that he belongs to the very same village where the post of Village Assistant was notified. However, ignoring the claim of the petitioner, the third respondent, who is a resident of some other village, has been selected. It is the further contention of the

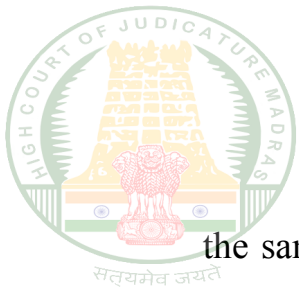


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petitioner that he belongs to the Aathithiravidar community to which the post in question is earmarked, but the third respondent was appointed to the said post. It is also the contention of the petitioner that he is more meritorious than the third respondent.

4. The second respondent has filed a counter affidavit contending that the third respondent also belongs to the same category as that of the petitioner and that the post is earmarked for the said category. It is further stated that the third respondent was found to be more meritorious than the petitioner, having secured 85.10 marks as against 79.23 marks secured by the petitioner, though the third respondent belongs to some other village. The counter affidavit further reveals that the petitioner was awarded 25 marks for being a resident of the native village, whereas the third respondent was awarded 20 marks for being a resident of another village in the same Taluk.

5. There is nothing in the Rules governing the appointment to the post in question issued in G.O.Ms.No.574, Revenue and Disaster Management Department, Services Wing [Ser 8(1)] Section, dated 17.10.2020, to suggest that candidates belonging to other villages within



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the same Taluk cannot be appointed to the post of Village Assistant of a particular village. In the absence of any such provision preventing candidates from other villages within the same Taluk from being considered for the post of Village Assistant in respect of the village in question, the contention raised by the learned counsel for the petitioner on this count cannot be sustained. Since the third respondent also belongs to the Aathithiravidar (SC) category, the ground raised by the petitioner in this regard also cannot be accepted. As the third respondent was found to be more meritorious than the petitioner, having secured 85.10 marks as against 79.23 marks secured by the petitioner, this Court does not find any illegality in the impugned order appointing the third respondent as Village Assistant. Therefore, this Writ Petition is liable to be dismissed.

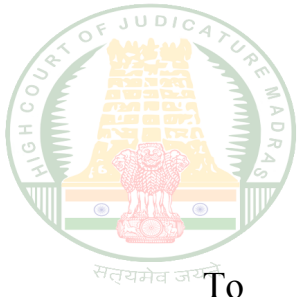
6. Accordingly, this Writ Petition is dismissed. No costs. Consequently, the connected Miscellaneous Petitions are closed.

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NCC : Yes / No

Index : Yes / No



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MUMMINENI SUDHEER KUMAR, J.

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