

(2011) 10 MAD CK 0232

In the Madras High Court

Case No : Writ Petition No. 47370 of 2006 and O.A. No. 4787 of 2001

M. Senthilkumar

APPELLANT

Vs

The Executive Officer, Kilvelur Grade I Town Panchayat,
Kilvelur, Thiruvavur District., The District Collector,
Nagapattinam District, Nagapattinam, S. Bhuvaneshwari and
Arulmozhi

RESPONDENT

Date of Decision : 31-10-2011

Acts Referred:

Citation : (2011) 10 MAD CK 0232

Hon'ble Judges : D. Hariparanthaman, J

Bench : Single Bench

Advocate : K.T.P. Kuilmozhi, for the Appellant; V. Subbiah, Spl. G.P. for R1 and
Mr. Rm. Muthukumar, G.A., for R2 and R3, for the Respondent

Final Decision : Dismissed

Judgement

Honourable Mr. Justice D. Hariparanthaman

1. The petitioner has challenged the appointment of the respondents 3 and 4 as Sweepers in the 1st respondent town panchayat. While four persons were appointed as Sweepers, the petitioner has chosen to question the appointment of respondents 3 and 4 alone. The only reason given in the writ petition is that the respondents 3 and 4 are sisters and therefore their appointments are illegal.

2. On the other hand, the 1st respondent filed counter affidavit stating that two permanent post of Sweeper and two consolidated pay post were vacant and the 1st respondent requested the Employment Exchange, Nagapattinam to furnish the list of eligible persons. Accordingly, the list was sent by the Employment Exchange and all the persons including the petitioner were sent interview card and the interview was held on 25.04.2001. Based on the interview the 3rd respondent and one L.Murugesan were appointed in the consolidated pay post of Sweepers, while the 4th respondent and one P. Somanathan were appointed in

the regular vacancy of Sweepers. It is stated that a proper procedure was followed before appointing the respondents 3 and 4 as well as the two other persons stated above.

3. Heard both sides.

4. The only point that is urged before this Court is that respondents 3 and 4 are sisters and therefore, their appointment is illegal. When respondents 3 and 4 were selected based on the interview conducted on 25.04.2001, the same appointment could not be questioned on the ground that the respondents 3 and 4 are sisters. The petitioner has not brought to my notice any rule that prohibits the appointment of close relations to the Sweeper post even if they are selected on merit.

5. Under these circumstances, I do not find any merit in the writ petition. The writ petition fails and hence it is dismissed. No costs.