

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.8082 of 2014

&

M.P.No.1 of 2014

M.Rajesh

.. Petitioner

vs.

1.The Chairman and Managing Director
Tamil Nadu Electricity Board
N.P.K.R.Maaligai
Electricity Avenue
No.144, Anna Salai
Chennai-600 002

2. The Chief Engineer
Tamil Nadu Electricity Board
N.P.K.R.Maaligai
Electricity Avenue
No.144, Anna Salai
Chennai - 600 002

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the 1st and 2nd respondents to appoint the petitioner as Technical Assistant in the 2nd respondent Department.

For Petitioner: Mr.A.M.Ayyadurai
For Respondents: Mrs.R.Varalakshmi

O R D E R

The relief sought in this writ petition is to direct the respondents to appoint the petitioner as Technical Assistant in the 2nd respondent Department.

2.The learned counsel appearing on behalf of the petitioner made a submission that the writ petitioner has completed Diploma in Engineering in the subject of Electrical and Electronics in first class and accordingly registered his name in the District

Employment Exchange. The petitioner received a call letter from the Tamil Nadu Generation and Distribution Corporation Limited for appointment to the post of Technical Assistant. Pursuant to the call letter, the writ petitioner attended the interview held on 12.12.2013. The interview was conducted by the respondents on the same day and after participating in the interview, the writ petitioner has not received any intimation from the respondents in respect of his selection or the appointment order. Thus, the writ petitioner is constrained to move this Court by way of this writ petition seeking the relief of appointment.

3.The legal principle in the matter of appointment is to be considered for the purpose of deciding this writ petition. Appointment can never be claimed as a matter of right by the candidate who participated in the process of selection. The selection process does not confer any right on the candidate to seek appointment. In the case on hand, the writ petitioner has received a call letter to participate in the interview and he participated in the interview. However, he was not selected and no order of appointment was issued. Thus, this Court is of the opinion that the writ petitioner has not established any legal right so as to grant appointment. A mere participation in the interview will not be a ground to claim an order of appointment by way of a direction, more specifically by filing a writ petition under Article 226 of the Constitution of India. Establishing a legal right is a precondition for entertaining a writ petition. In the case on hand, the writ petitioner has not established any semblance of legal right so as to issue any direction.

Thus, this writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

gpa

To

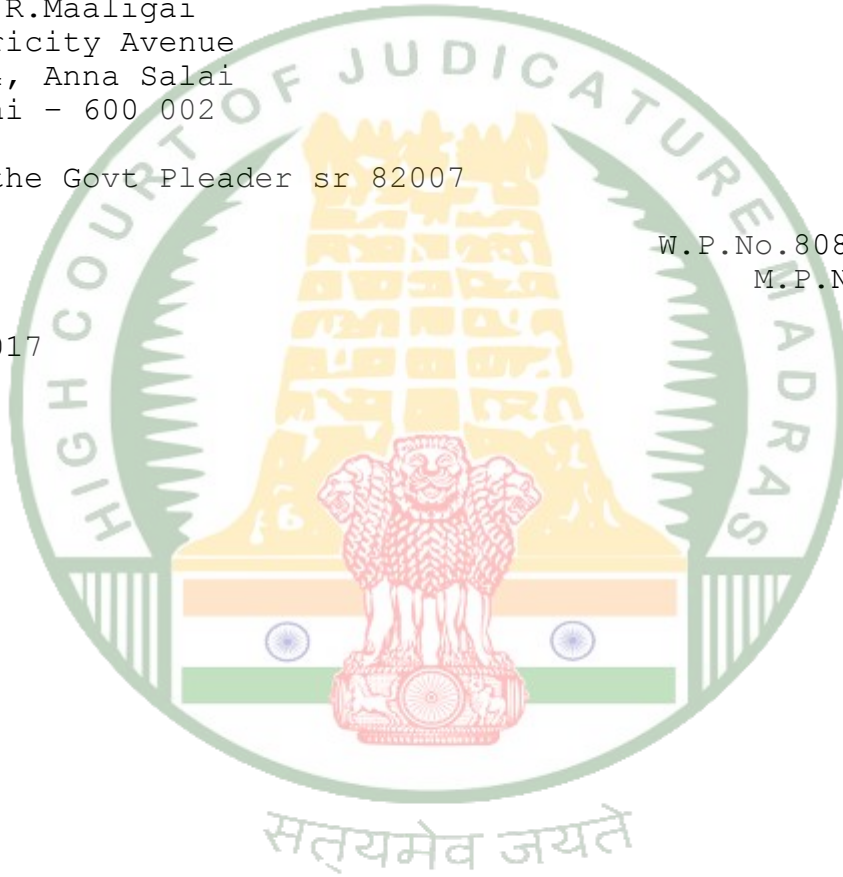
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