

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.08.2017

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.A.No.930 of 2017

K.Selvakumaran .. Appellant

-vs-

The Chief Education Officer
O/o Chief Education Officer
Nagapattinam ... Respondent

Appeal under Clause 15 of the Letters Patent, against the order dated 02.06.2017 made in W.P.No.11967 of 2017. Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent herein to afford the petitioner the Lab Assistant post pursuant to the notification dt 21.4.2015.

For Appellant :: Mr.A.Tamilvanan for M/s D.Djearany

For Respondent :: Mr.V.Jayaprakash Narayanan
Special Government Pleader

JUDGMENT

(Judgment of the Court was made by HULUVADI G.RAMESH, J.)

Heard the learned counsel for the appellant and the learned Special Government Pleader for the respondent.

2. The appellant/writ petitioner filed the writ petition seeking a mandamus to the respondent to afford him the post of Lab Assistant pursuant to the notification dated 21.04.2015. After hearing the parties, the learned single Judge has dismissed the writ petition holding, in paragraph-3, as follows:-

"3. As the selection process from the stage of the certificate verification has come to an end and the issuance of appointment order has also been taken place, now the petitioner cannot come to this Court seeking the above direction to the respondent by way of filing this petition. Therefore, this Court is not inclined to entertain this petition, by invoking Article 226 of the

Constitution of India to issue a writ of mandamus, in favour of the petitioner, who is found to be guilty of laches. Accordingly, the Writ Petition fails and the same is dismissed. No costs."

3. We find no error in the order passed by the learned single Judge, as the very reasoning given by the learned Judge is self-explanatory. At the most the appellant/writ petitioner can challenge the selection if any illegality is noticed by impleading the selected candidate and as such, the prayer of the appellant/writ petitioner to appoint him in the post of Lab Assistant cannot be considered at this belated stage. Hence, the writ appeal is dismissed. No costs.

Sd/-

Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

ss

To

1. The Chief Educational Officer
O/o Chief Educational Officer
Nagapattinam

+1cc to Government Pleader sr.59980

W.A.No.930 of 2017

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ss(12/9/2017)

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