

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.09.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.25003 of 2017

Dr. A. Pownkumar

.. Petitioner

vs

1.The Secretary to State Government,
Health and Family Welfare Department,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Secretary to State Government,
Department of Adi Dravidar &
Tribal Welfare (Tamil Nadu),
Secretariat, Fort St. George,
Chennai-600 009.

3.The Commissioner,
Office of the Commissioner of
Indian Medicine & Homeopathy,
Arignar Anna Government Hospital of
Indian Medicine, Arumbakkam,
Chennai-600 106.

4.The Principal,
Government Ayurveda
Medical College & Hospital,
Kottar, Nagercoil,
Kanyakumari District-629 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to dispose of the petitioner's representation dated 28.01.2017 pertaining to the post of Lecturer in 4th respondent College under 10(A) (i) on the Schedule Caste reservation quota.

For Petitioner	:	Mr. S. Gunaseelan
For Respondents	:	Mr. S. Gunasekar
		Addl. Government Pleader

O R D E R

The relief sought for in this writ petition is for a direction to direct the first respondent to dispose of the representation submitted by the writ petitioner pertaining to the post of Lecturer under the fourth respondent College under rule 10(a)(1) on the Schedule Caste reservation quota.

2. The learned counsel appearing for the writ petitioner submits that the respondents are not following the rule of reservation while effecting appointment. It is needless to state that the competent authority, who issued notification, are bound to follow the Government Rules and Regulations with regard to selection and recruitment. This being the general rule, the writ petitioner has filed this writ petition with a general prayer to issue a Writ of Mandamus to consider his representation.

3. Such a direction cannot be issued in a routine manner. It is for the petitioner to establish his right to seek such prayer and in the absence of any such legal right, writ cannot be issued. The prayer as such sought for in this writ petition deserves to be rejected in view of the fact that the writ petitioner is not an aggrieved person in the eye of law.

4. Thus, the writ petitioner being not an aggrieved person is not entitled to maintain the writ petition. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

rpl

To

1.The Secretary to State Government,
Health and Family Welfare Department,
Secretariat, Fort St. George,
Chennai-600 009.

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2.The Secretary to State Government,
Department of Adi Dravidar &
Tribal Welfare (Tamil Nadu),
Secretariat, Fort St. George,
Chennai-600 009.

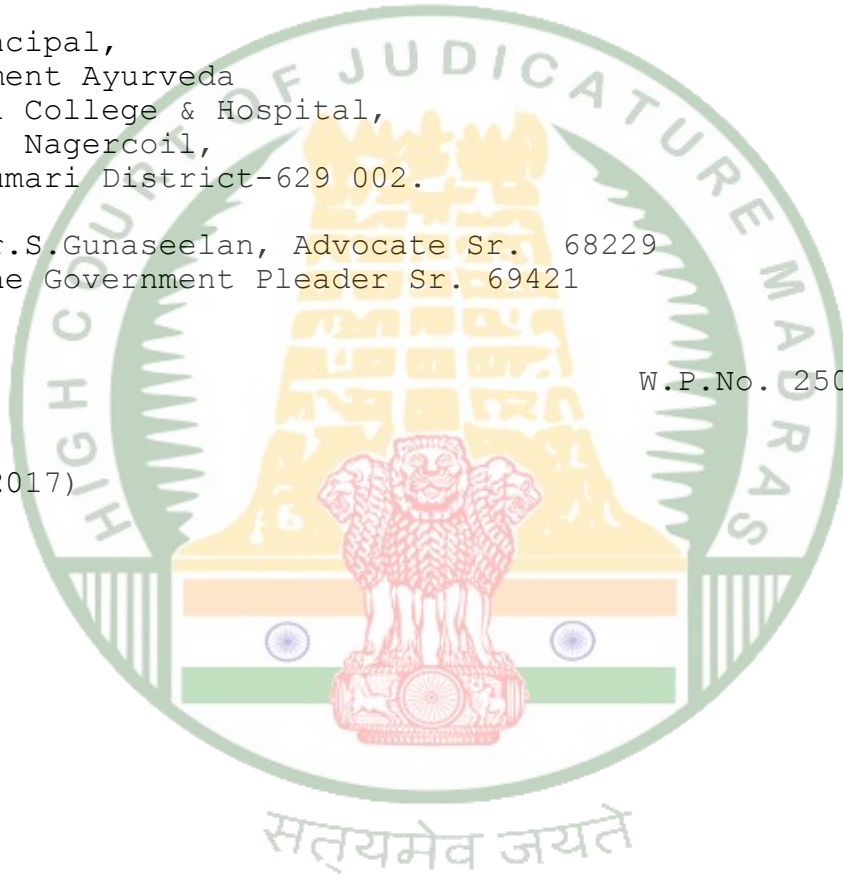
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4.The Principal,
Government Ayurveda
Medical College & Hospital,
Kottar, Nagercoil,
Kanyakumari District-629 002.

+1cc to Mr.S.Gunaseelan, Advocate Sr. 68229
+1cc to the Government Pleader Sr. 69421

W.P.No. 25003 of 2017

RSI (CO)
VR(27/10/2017)



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