

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :27.10.2017

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

W.P.No.15652 of 2014
MP.1 OF 2014

T.Delsi Rani

..

Petitioner

vs

1.The Chairman

Tamil Nadu Electricity Board,
144, Anna Salai,
Chennai-600 002.

2.The District Employment Exchange Office,
Chennimalai Road,
Erode.

3.The Chief Engineer/Distribution,
Erode Region TANGEDCO,
No.948, E.V.N.Road,
Erode.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to appoint the petitioner to the post of Technical Assistant in the office of the 3rd respondent with regard to due seniority as per registration with the 2nd respondent.

For Petitioner : Mr.P.Valliappan

For Respondents : Mr.P.R.Dhilip Kumar for RR1 & 3
Mr.A.Raja Perumal, AGP for R2

O R D E R

The relief sought for in this writ petition is for a direction to appoint the petitioner to the post of Technical Assistant in the office of the 3rd respondent with regard to due seniority as per the registration with the 2nd respondent.

2. The learned counsel appearing for the writ petitioner made a submission that the writ petitioner is a differently abled person and her disability is assessed at 70% and she had completed her SSLC in the year 1993. The petitioner registered her name in the District Employment Exchange, Erode. Thereafter, the petitioner has completed his Diploma in Electronic and Communication in the year 1997. Accordingly, the writ petitioner updated her employment registration in the office of the 2nd respondent on 24.04.1998. The grievance of the petitioner is that she was called for an interview for appointment to the post of Technical Assistant in the office of the 3rd respondent. However, in Paragraph No.4 of the affidavit, the writ petitioner states that Smt.R.Anthony Nirmala, was appointed by the 3rd respondent. However, the writ petitioner has not challenged either the order of appointment nor the process of selection. The writ petition has been filed by simply stating that one Smt.R.Anthony Nirmala was appointed in the office of the 3rd respondent. Thus, the writ petitioner has not substantiated or established any irregularity or illegalities or malpractices in the process of selection. Even in such cases, the concerned officials ought to have been impleaded as party respondent in this writ petition and also the competent officials concerned, who has committed any such irregularity. In the absence of any such pleadings, and materials available on records, this Court cannot consider the prayer as such sought for in this writ petition for a direction to appoint the writ petitioner in the post of Technical Assistant.

3. Appointment can never be claimed as a matter of right. It is left open to the writ petitioner to participate in the open competitive process to secure any public employment. No writ can be entertained for direction seeking appointment merely on the ground that the writ petitioner participated in the interview. Thus, the writ petitioner has not established any legal right so as to consider the grounds raised in this writ petition.

4. Accordingly, this Court is not inclined to consider the ground raised in this writ petition on merits and stands dismissed. No costs. Consequently connected Miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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To

- 1.The Chairman
Tamil Nadu Electricity Board,
144, Anna Salai,
Chennai-600 002.
- 2.The District Employment Exchange Office,
Chennimalai Road,
Erode.
- 3.The Chief Engineer/Distribution,
Erode Region TANGEDCO,
No.948, E.V.N.Road,
Erode.

+1cc to Mr.P.Valliappan, Advocate in sr.no.76459

W.P.No.15652 of 2014

RR(CO)
NR 22/11/2017



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