

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2017

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WRIT PETITION No. 16774 of 2017

K.Durairaju

... Petitioner

Vs.

1. The Chief Educational Officer,
Office of the Chief Educational Officer,
Tirupur District.
 2. The State Project Officer,
Sarva Siksha Abhiyan,
College Road, Chennai - 600 006.
 3. The Assistant Project Officer,
Office of the Assistant Project Officer,
Sarva Siksha Abhiyan, Coimbatore District.
- ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue Writ of Mandamus directing the first respondent to consider the representation dated 10.03.2012 of the petitioner and to pass orders thereon on merits and in accordance with law within a time to be stipulated by this Hon'ble Court.

For Petitioner : Mr.Sivalingam
For Mr.P.Ganesan

For Respondents : Mr.K.Dhananjeyan
Special Government Pleader

O R D E R

The relief sought for in this writ petition is to consider the representation submitted by the writ petitioner on 10th March 2012 to the Chief Educational Officer, Tirupur/first respondent.

2. On perusal of the representation dated 10.03.2012, this Court is able to find out that the writ petitioner had participated in the interview for an appointment to the post of part time Drawing Teacher. Though he had attended the interview before the Authority concerned, in order to secure appointment, he preferred a representation to the first respondent.

3. The writ petitioner cannot secure an appointment for the post of part time Drawing Teacher by merely submitting a representation to the Competent Authority and appointment can never be claimed as a matter of right and any appointment to the public post is to be made in accordance with the constitutional scheme and back door entry is not permitted, more specifically, for public appointment.

4. The writ petitioner has to undergo the process of recruitment in accordance with the Rules and through his representation, no direction can be issued to the respondents. When there is no semblance of right established in this writ petition, this Court cannot issue the writ of mandamus under Article 226 of the Constitution of India.

5. In the absence of any right under the provisions of law, this Court is not in a position to appreciate the prayer sought for in this writ petition and thus, the writ petition deserves no further consideration and accordingly stands dismissed. However no order as to costs.

Sd/-

Assistant Registrar(CS III)

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To

1. The Chief Educational Officer,
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Tirupur District.

2. The State Project Officer,
Sarva Siksha Abhiyan,
College Road, Chennai - 600 006.
3. The Assistant Project Officer,
Office of the Assistant Project Officer,
Sarva Siksha Abhiyan, Coimbatore District.

+lcc to the Government Pleader, S.R.No.46647

W.P.No.16774 of 2017

CS/19/07/17



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