

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2017

CORAM

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

W.P.No.3793 of 2011

S.Sivaraj

.. Petitioner

Vs

1. The District Employment Officer,  
Employment Exchange,  
Salem District, Salem.
  2. The Commissionerate of Employment and Training,  
Guindy Industrial Estate,  
Guindy, Chennai - 32.
  3. The Commissioner of Municipal Administration,  
Chepauk, Chennai - 5.
- .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to consider the case of this petitioner for appointment as Sanitary Inspectors under the Schedule Tribe Quota on the basis of the community certificate dated 10.10.1996 produced by him.

For Petitioner : Mr.V.Vijay Shankar

For Respondents : Mr.R.Vijayakumar  
Additional Government Pleader

O R D E R

The relief sought for in this writ petition is for a direction to the respondents to consider the case of the writ petitioner for appointing him as Sanitary Inspector, under the Scheduled Tribe Quota, on the basis of the community certificate dated 10.10.1996, produced by the petitioner.

2 . The learned counsel appearing for the writ petitioner made a submission that he belongs to the Konda Reddi Community, which is a Scheduled Tribe Community as per the Constitution

Scheduled Tribes Order 1950. He had been issued with the said community certificate by the R.D.O, Mettur Dam on 10.10.1996.

3. This apart, the writ petitioner states that he has got sufficient documentary evidence to show that he belongs to the said Konda Reddi community, which is a Scheduled Tribe Community. The writ petitioner has completed his Sanitary Inspector Diploma Course conducted by the All India Institute of Local Self Government, Bangalore. However, the application submitted by the writ petitioner for appointment to the post of Sanitary worker has not been considered.

4. Appointment can never be claimed as a matter of right. All appointments to the public posts must be done in accordance with the recruitment rules in force. Equal opportunity in a public employment is a Constitutional mandate. A mere filing of an application or filing a writ petition under Article 226 of the Constitution of India, no person can secure any public employment. For filing a writ petition, the writ petitioner has to establish his legal right. In the present case, the writ petitioner has failed to establish the semblance of legal rights, so as to consider his claim for issuing a direction for appointment.

5. In such circumstances, this Court is of the opinion that the writ petition is dismissed as being devoid of merits. However, there shall be no order as to costs.

Sd/-  
Assistant Registrar(CS II)

//True Copy//

सत्यमेव जयते  
Sub Assistant Registrar

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To

1. The District Employment Officer,  
Employment Exchange,  
Salem District, Salem.
2. The Commissionerate of Employment and Training,  
Guindy Industrial Estate,  
Guindy, Chennai - 32.

3. The Commissioner of Municipal Administration,  
Chepauk, Chennai - 5.

+1cc to Mr.V.Vijay Shankar, Advocate, S.R.No.90329  
+1cc to the Government Pleader, S.R.No.91138

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TM(CO)  
CS/10/01/18



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