

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :27.11.2017
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.21413 of 2010
and
M.P.No.1 of 2010

K.Vijaya Kumar

...Petitioner

Vs.

1.The State of Tamil Nadu
Rep by its Secretary to Government
Home (Police) Department
Secretariat, Chennai - 9.

2.Tamil Nadu Uniformed Services
Recruitment Board
Rep by its Chairman and
Director General of Police
807, 2nd Floor, Anna Salai
Chennai - 600 002.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to select and appoint the petitioner as Sub-Inspector of Police under the Direct Recruitment quota.

For Petitioner : Mr.P.Muthukrishnan

For Respondents : Mr.K.Venkataramani
Addl Advocate General - VII
Assisted by
Mrs.K.Bhuvaneshwari
Government Advocate

सत्यमेव जयते
O R D E R

The relief sought for in this writ petition is for a direction to direct the respondents to select and appoint the petitioner as Sub-Inspector under the direct recruitment quota.

2.First of all, this Court is of the opinion that appointment can never be claimed as a matter of right. Even a selection will not confer any right on the candidates to seek an order of appointment. A writ against the process of selection may be entertained only, if any illegality, irregularity, malpractices or corrupt activities are substantiated, then the Court can interfere. A mere participation in the process of selection will not confer any right on the candidates to seek an

order of appointment.

3. In the case on hand, the learned counsel appearing on behalf of the petitioner states that some of the questions and answers are vague and it was not properly evaluated. Thus, the writ petitioners are entitled for additional marks in this regard. In the event of providing additional marks, there is a probability of selection of the writ petitioner on this ground the writ petition is filed.

4. However, this Court cannot issue any direction to issue an order of appointment. The writ petitioner has to succeed in the process of selection and then only, the order of appointment will follow.

5. In view of the fact that the reasons stated in the writ petition are not very clear. This Court is of the opinion that it is suffice, if a direction is issued to the respondents to consider the representation and pass orders so as to know the reasons for which the petitioner was not selected for recruitment to the post of Sub-Inspector.

6. Under these circumstances, the second respondent is directed to consider the representations submitted by the writ petitioner on 05.01.2010 and 21.04.2010 and pass orders on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7. The writ petitioner is hereby directed to enclose the copies of the representations along with the order passed in this writ petition. With the above direction, the writ petition stands disposed of. However, there is no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS VIII)

//True Copy//

Sub Assistant Registrar

may

To

1. The Secretary to Government
Home (Police) Department
Secretariat, Chennai - 9.

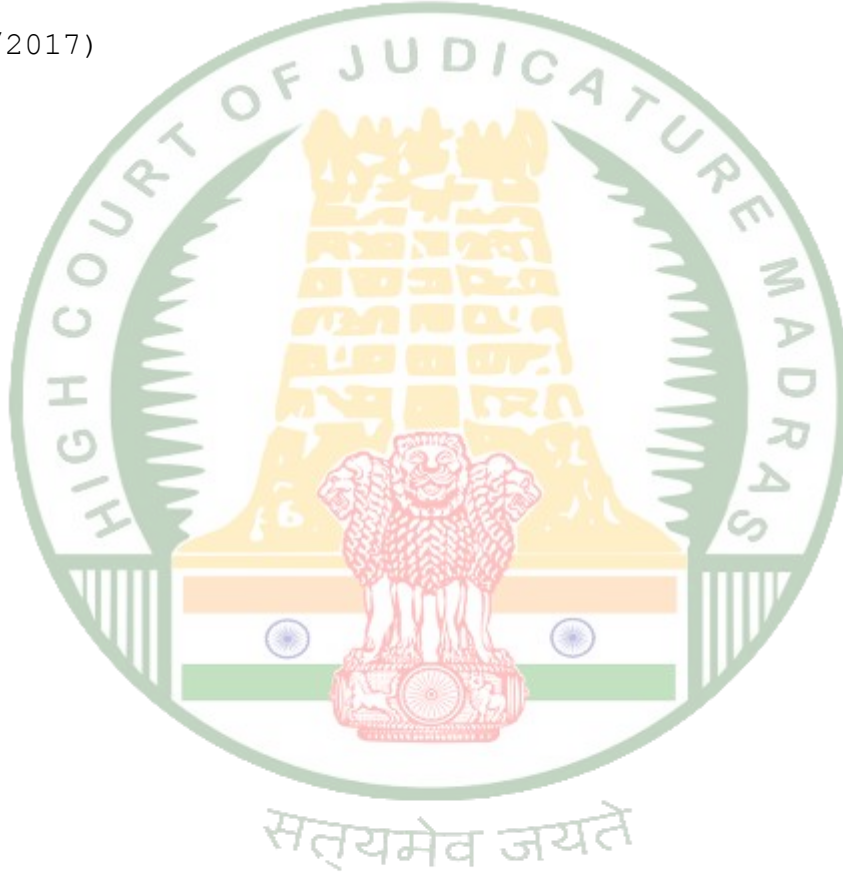
2.The Chairman and
Director General of Police
Tamil Nadu Uniformed Services
Recruitment Board
Rep by its
807, 2nd Floor, Anna Salai
Chennai - 600 002.

+1cc to Mr.P.Muthu krishnan, Advocate, S.R.No.84708

+1cc to the Government Pleader, S.R.No.84745

W.P. No.21413 of 2010

RRK(14/12/2017)



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