

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.11.2017

CORAM:

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

W.P.No.19019 of 2014

J.Sathiaraj

.. Petitioner

vs

1. The Secretary to Government,
Labour & Employment,
Fort.St.George,
Chennai-9.
2. The Director of Employment & Training,
Guindy,
Chennai-32.
3. The District Employment Officer,
Kanyakumari District,
Nagercoil.

.. 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 give priority to the petitioner in direct recruitment to the post of Junior Training Officer in the Government service .

For Petitioner : Mr.G.MuthuKrishnan

For Respondents : Mrs.K.Bhuvaneswari,
Government Advocate

O R D E R

The relief sought for in the writ petition is to direct the respondents to give priority to the petitioner in direct recruitment for the post of Junior Training Officer in Government Service.

2.The learned counsel appearing on behalf of the writ petitioner states that the writ petitioner has passed SSLC in the year 1984 and subsequently, he had undergone 2 years of Technical Training in the Trade of Fitter in Navabharath

Industrial Training Institute, Kulithurai, Kanyakumari district. The petitioner had passed the All India Trade Test in July 1988 and had undergone one year Apprenticeship training under the Apprentice Act, 1961 and passed the National Apprentice Certificate. Subsequently, the petitioner passed M.A., Sociology under Open University Study in Annamalai University.

3.The learned counsel appearing on behalf of the writ petitioner strenuously contented that the petitioner should be given priority for Government appointment, on account of the fact that he has acquired the qualification of M.A., through Open University system. However, the prayer as such sought for in this Writ petition is absolutely misconceived and there cannot be any such priority to the writ petitioner for direct recruitment to be given, as prayed for.

4.The learned Government Advocate appearing on behalf of the respondents states that the recruitment to the post of Junior Training Officer will be undertaken through open competitive process and by following the rules of reservation. Further, the counter affidavit provides that the rules of reservation and other qualifications prescribed under the rules will be followed, while undertaking the process of recruitment. Thus, the relief sought for by the writ petitioner for providing priority is untenable.

5. Appointment can never be claimed as a matter of right. Priority cannot be granted contrary to the rules in force. The rules of reservation, in this regard, is scrupulously followed by the competent authorities while undertaking the process of selection. The writ petitioner has to participate in the process of selection and get himself selected. This Court cannot show any displaced sympathy so as to deprive other meritorious candidates, who are longing for public employment. Equal opportunity in public employment is a constitutional mandate. Therefore, the writ petitioner has to work hard and participate in the open competition process and get selection for the public posts. This Court wishes him the best and the petitioner is expected to put hard labour for securing public employment through open competitive process. Accordingly, Writ Petition stands dismissed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

stm/sts

To

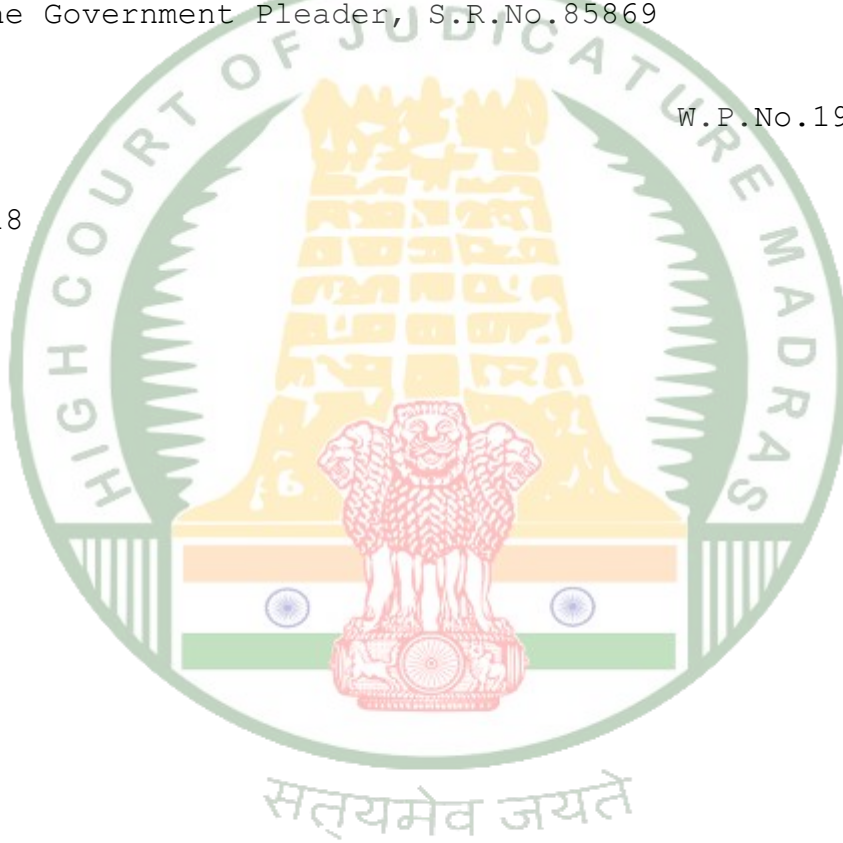
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+1cc to Mr.G.MuthuKrishnan, Advocate, S.R.No.85962

+1cc to the Government Pleader, S.R.No.85869

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