

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28-11-2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.21715 of 2010

And

M.P.No.1 of 2010

P.Selvaraju .. Petitioner

-vs-

- 1.The Secretary,
Department of Employment and Training,
Fort St. George,
Chennai-600 009.
- 2.The District Collector,
Collectorate,
Cuddalore District.
- 3.The District Employment Officer,
District Employment Office,
Cuddalore-607 001.
- 4.The Tahsildar,
Thittagudi Taluk,
Cuddalore District. .. Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the third respondent to refer the name of the petitioner to the fourth respondent and consequently, directing the fourth respondent to provide appointment to the petitioner for the post of Village Assistant.

For Petitioner - Mr.P.Nagaraju

For Respondents - Mr.K.Thangapandi,
Government Advocate.

ORDER

The relief sought for in this writ petition is for a direction to direct the third respondent to refer the name of the writ petitioner to the fourth respondent and to provide appointment to the writ petitioner for the post of Village Assistant.

2. The learned counsel, appearing on behalf of the writ petitioner, made a submission that the writ petitioner was sponsored by the District Employment Office, Cuddalore, for appointment to the post of Village Assistant and his case was not considered in accordance with the Government Order passed in respect of relaxation of age in G.O.Ms.No.98, Personnel and Administrative Reforms (P) Department, dated 17.7.2006.

3. This Court is of the opinion that appointment can never be claimed as a matter of right. Even sponsoring the candidate by Employment Exchange must be done in accordance with the employment seniority. The selection is to be conducted in accordance with the Recruitment Rules in force and therefore, the claim of the writ petitioner also to be considered in accordance with the rules in force. The only grievance of the writ petitioner is that the intervening ban period caused certain prejudices to him and therefore, he made a representation, in this regard, to the respondents on 6.9.2010.

4. Thus, without going into the merits of the matter, the fourth respondent is directed to consider the representation submitted by the writ petitioner on 6.9.2010 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copy of the representation along with the order passed in this writ petition.

5. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

Svn

To

1.The Secretary,
Department of Employment and Training,
Fort St. George,
Chennai-600 009.

2.The District Collector,
Collectorate,
Cuddalore District.

3.The District Employment Officer,
District Employment Office,
Cuddalore-607 001.

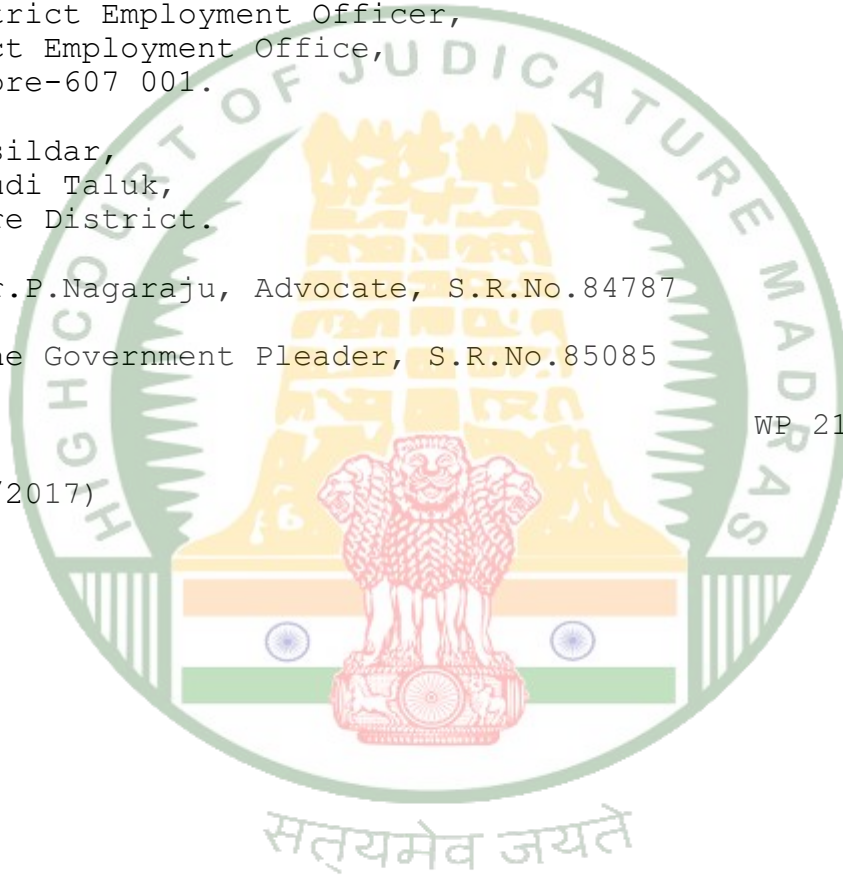
4.The Tahsildar,
Thittagudi Taluk,
Cuddalore District.

+1cc to Mr.P.Nagaraju, Advocate, S.R.No.84787

+1cc to the Government Pleader, S.R.No.85085

WP 21715 of 2010

RRK (12/12/2017)



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