

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 02.08.2017

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THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP.No.19780 of 2017 and WMP.No.21353 of 2017

K.Bakkiyaraj

...Petitioner

Versus

1. The District Collector,
Nagapattinam District.

2. The Thasildar,
Taluk Office,
Kuthalam Taluk,
Nagapattinam District

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records made in the impugned order in Na.Ka.No.1181/2017/A5 dated 02.06.2017 passed by the second respondent, quash the same and direct the second respondent to consider the petitioner representation letter dated 13.07.2017.

For Petitioner : Mr.A.Saranraj

For Respondents : Mr.K.Dhananjayan

Special Government Pleader

ORDER

The relief sought for in this writ petition is to consider the representation submitted by the writ petitioner on 13.07.2017 and to quash the call letter issued to the petitioner on 02.06.2017 by the second respondent.

2. The learned counsel appearing for the petitioner contended that pursuant to the interview, an advertisement was published in the daily newspaper 'Dhinakaran' on 22.04.2017, inviting applications from eligible candidates for recruitment to the post of Village Assistant, the writ petitioner had submitted his application. Accordingly, the writ petitioner received a Call Letter dated 02.06.2017, directing him to appear for interview on 19.06.2017 at 11.00 A.M in the office of the Tahsildar, Kuthalam. The grievances of the writ petitioner is that though he attended the interview, his case was not considered for selection and therefore, he challenged the interview call letter.

3. This Court is unable to understand on what basis the call letter is challenged in this writ petition and what would be the consequence, in the

event of quashing the call letter, communicated to the writ petitioner. Thus, the very prayer of Certiorari is misconceived. That apart, the appointment can never be claimed as a matter of right and the writ petitioner has to participate in the recruitment process and in the event of selection and after issuing the order of appointment, the right of the writ petitioner will come in force, but not otherwise. Thus, the mere call letter sent to the writ petitioner directing him to participate in the interview will not confer any legal right on the writ petitioner, so as to claim appointment for the post of Village Assistant. Such being the legal principle, the writ petitioner has not established even the semblance of legal right, so as to entertain his claim. In the absence of establishing any right, no writ can be issued under Article 226 of the Constitution of India.

4. Accordingly, the writ petition is devoid on merits and stands dismissed. Consequently, connected Miscellaneous Petition is closed. No costs.

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Index: Yes/No

Internet: Yes/No

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02.08.2017

M.SUBRAMANIAM.,J
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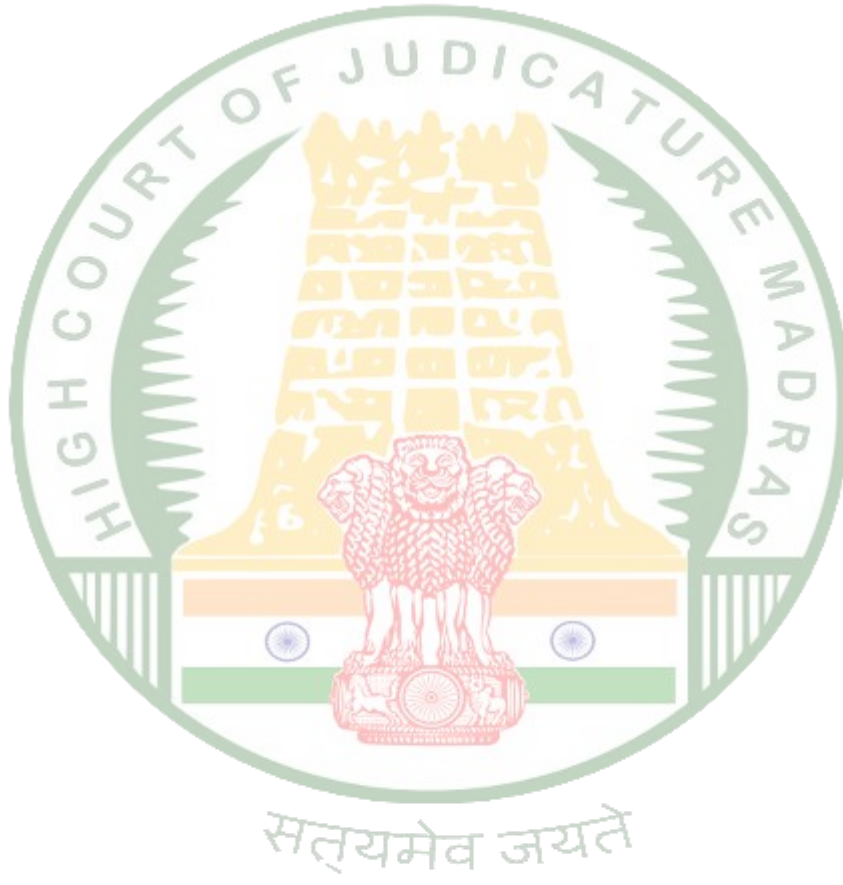
To

1. The District Collector,
Nagapattinam District.
2. The Thasildar,
Taluk Office,
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