

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.11.2017

CORAM

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

W.P.No.18869 of 2010

S.Gopinath

..Petitioner

vs

1.The Secretary to Government,
Employment Department,
Fort St.George, Secretariat,
Chennai - 600 009.

2.The Secretary to Government,
Home Department,
Fort St.George, Secretariat,
Chennai - 600 009.

3.Secretary to Government,
Personal and Administrative Reforms
Department, Fort St.George,
Secretariat, Chennai - 600 009.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ of Mandamus,
directing the respondents to consider the petition for
appointment filed by the petitioner before the second respondent
dated 15.05.2010.

For Petitioner : Mr.C.Deivasigamani

For Respondents : Mrs.K.Bhuvaneswari
Government Advocate

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O R D E R

The relief sought for in this writ petition is for a
direction to the respondents to consider the petition for
appointment filed by the petitioner before the 2nd respondent
dated 15.05.2010.

2.The learned counsel appearing on behalf of the writ
petitioner made a submission that the writ petitioner has
registered his name in the employment exchange on 20.09.1985 and

he has been periodically renewing the employment registration up to 09.11.2007. However, the writ petitioner has not received any call letter in respect of any interview in this regard. Thus, the writ petitioner is constrained to move this writ petition seeking appointment.

3.Appointment can never be claimed as a matter of right. It is for the petitioner to participate in the open competitive process and get himself selected. Merely filing a writ petition will not constitute a ground for the writ petitioner to seek direction to provide an appointment. This Court cannot issue any such direction even to consider the case of the writ petitioner for appointment, in the absence of establishing any legal right. The writ petitioner has not established even a semblance of legal right so as to consider his prayer as such sought for in this writ petition. Even at the time of filing of the writ petition, the writ petitioner was aged about 44 years and currently, he would be approximately 51 years old and at this stage, the question of providing any public employment by way of a direction of this Court cannot be granted. Accordingly, the relief as such sought for in this writ petition is misconceived and this Court is not inclined to consider the relief sought for in this writ petition.

4.Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs.

Sd/-
Deputy Registrar

//True copy//

Sub Assistant Registrar

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To

1.The Secretary to Government,
Employment Department,
Fort St.George, Secretariat,
Chennai - 600 009.

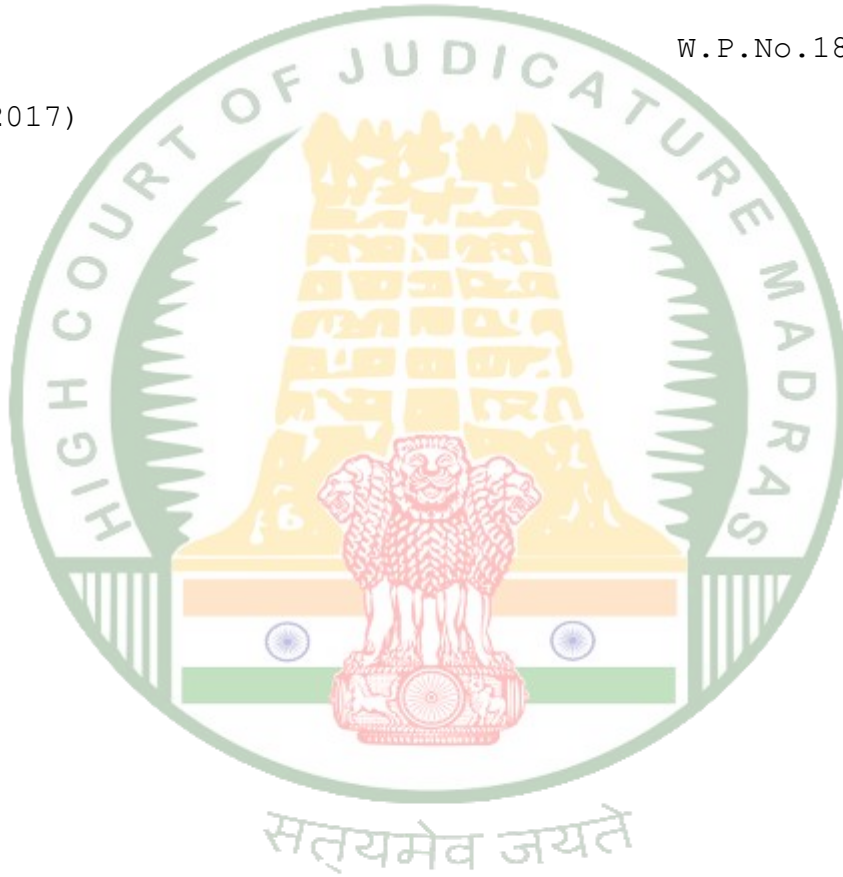
2.The Secretary to Government,
Home Department,
Fort St.George, Secretariat,
Chennai - 600 009.

3.Secretary to Government,
Personal and Administrative Reforms
Department, Fort St.George,
Secretariat, Chennai - 600 009.

+1cc to Mr.Deivasigamani, Advocate SR.No.82815
+1cc to Government Pleader SR.No.82940

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GN(07/12/2017)



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