

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2017

CORAM

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

W.P.No.19331 of 2010

R.Jaganathan

... Petitioner

Vs

1.The District Employment Exchange Officer,
Krishnagiri District.

2.The Tamil Nadu Electricity Board,
Represented by the Chief Engineer,
Personnel, Administrative Branch,
Annasalai, Madras -2

... Respondents

PRAYER: Writ Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus, directing the 1st respondent to forward the name of the petitioner to the 2nd respondent to be accommodated in the post of Assistant Engineer and restore his seniority in employment based on his registration number with the employment exchange.

For Petitioner : Mr.V.Raghavachari

For R1 : Mr.A.Rajaperumal
Additional Government Pleader

For R2 : Mrs.R.Varalakshmi

ORDER

The relief sought for in this Writ Petition is to direct the 1st respondent to forward the name of the petitioner to the 2nd respondent to be accommodated in the post of Assistant Engineer and restore his seniority in employment, based on his registration number with the employment exchange.

2.The learned counsel appearing on behalf of the writ petitioner states that the writ petitioner has completed Bachelor of Electronics in ICE and thereafter registered his name in the District Employment Exchange, Krishnagiri District on 05.04.1999. The petitioner states that he has periodically renewed the employment registration in the office of the first

respondent. His name was sponsored for appointment to the post of Assistant Engineer and the petitioner participated in the interview also. However, he was not selected. During the next turn, in the year 2006, the petitioner had not received any call letter or intimation letter from the respondents. In these circumstances, the petitioner states that he was hopefully waiting for the call letter from the office of the respondents. Thus, he was construed to approach this Court under Article 226 of the Constitution of India.

3.The only ground on which the present Writ Petition is filed by the writ petitioner is that he has registered his name in the District Employment Exchange and he had attended the interview and inspite of that, he was not selected to the post of Assistant Engineer. On this ground, the petitioner seeks a direction to forward his name to the second respondent for appointment. Such a claim of the writ petitioner cannot have any legal acceptance. A mere registration in the Employment Exchange will not be a ground to seek any direction by way of a Writ Petition. The state constituted the Employment Exchanges to facilitate the citizens to register their names and whenever the employer calls for a list, then the respective Employment Exchange will sponsor the names in accordance with the seniority. Mere registration of name in the Employment Exchange will not constitute a legal right for a candidate. It is a facility provided by the state to ensure that public appointments are made in accordance with the seniority and to provide a equal opportunity to the citizens of this great nation. Thus, the writ petitioner has not established any legal right so as to consider his claim for appointment.

4.This Court is of the firm view that the appointment can never be claimed as a matter of right by the candidates. A mere participation in the interview will not confer any right on the candidate to seek an order of appointment. In view of the legal principles in the matter of appointment as stated above, no further adjudication on merits needs to be under taken.

5.Accordingly, this Writ Petition stands dismissed. However, there is order as to costs.

Sd/-
Deputy Registrar(CS-)

//True Copy//

Sub Assistant Registrar

gsa

To

1.The District Employment Exchange Officer,
Krishnagiri District.

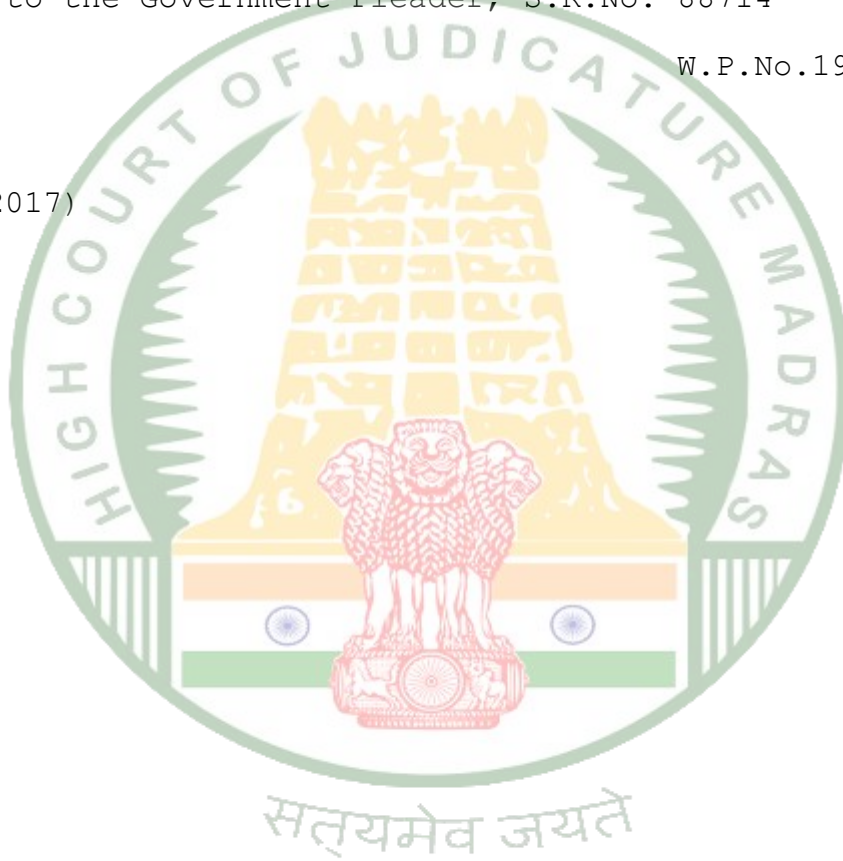
2.The Chief Engineer,
Tamil Nadu Electricity Board,
Personnel, Administrative Branch,
Annasalai, Madras -2

+1cc to Mr.V.RAGHAVACHARI, Advocate, S.R.No. 83227

+1cc to the Government Pleader, S.R.No. 88714

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(CO)
TR(08/12/2017)



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