

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2017

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.5816 of 2016
and
W.M.P.No.5164 of 2016

P.Vasuki

... Petitioner

-Vs-

1. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

2. The Project Officer,
Noon Meal Organization,
Collectorate,
Thiruvannamalai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondent to issue interview card to the petitioner for the post of Noon Meal Organizer to be held on 16.02.2016 and the subsequent dates by considering the G.O.Ms.No.98, Personnel and Administrative Department, dated 17.07.2006.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.M.Perumal
Government Advocate

O R D E R

The relief sought for in this writ petition is for a direction to the first respondent to issue an interview card to the petitioner for the post of Noon Meal Organizer to be held on 16.02.2016, by considering the G.O.Ms.No.98, Personnel and Administrative Department, dated 17.07.2006.

2. Appointment to a public post can never be claimed as a matter of right. Every eligible candidate is free to participate in the process of selection through open competitive process under the Constitutional scheme prescribed under the relevant service rules.

3. The prayer as such sought for in this writ petition is for a direction to issue an interview card cannot be considered and the writ petitioner has not established any semblance of right for issuance of such a direction. A right to be established is a pre-condition for filing a writ under Article 226 of the Constitution of India. The writ petitioner has not established any violation of statutory rules or malpractice or corrupt activities in the process of selection. In the absence of any such averments and the allegations, no such direction can be granted by the Writ Court. The appointment to a public post ought to be undertaken only under the Constitutional scheme by following the recruitment rules in force.

4. The learned Government Advocate states that the process of interview has been completed and the writ petitioner is not in the zone of consideration. Thus, the prayer sought for has to be out rightly rejected.

5. Accordingly, this writ petition, stands dismissed. However, there is no order as to costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ah/ms

To

1. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

2. The Project Officer,
Noon Meal Organization,
Collectorate,
Thiruvannamalai.

+1cc to Mr.C.Prakasam, Advocate, S.R.No.62989
+1cc to the Government Pleader, S.R.No.62874

W.P.No.5816 of 2016

VD(CO)
CA(22/09/2017)