

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2018

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.8106 of 2018

M.Gomathi

.. Petitioner

Vs.

1. The Principal Secretary to Government,
Revenue Department,
Secretariat, Chennai-600 009
2. The District Collector,
Nammakkal District, Collectorate Compound,
Tiruchengode - Namakkal - Trichy Road,
Namakkal, Tamil Nadu - 637 003
- 3.The Tahsildar,
Tiruchengode Taluk,
Mahadhavapuram, Tiruchengode,
Namakkal District - 637 211

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, to direct the respondent to conduct the interview in proper manner and to consider my representation letter dated 24.07.2017 within a specified period ordered by this Court.

For Petitioner :: Mr.Veangai.I.Prakash Raj

For Respondents :: Mr.G.B.Rajesh,
Government Advocate

ORDER

The relief sought for in this writ petition is for a direction to direct the respondents to conduct the interview in proper manner and to consider the petitioner's representation letter dated 24.07.2017.

2.The relief sought for in this writ petition is absolutely misconceived. The grievances of the writ petitioner is that she has attended the interview conducted in the year 2015 for

recruitment to the post of Village Assistant. However, the writ petitioner was not selected and some other person was selected and appointed in the said post. The writ petitioner has not challenged the order of appointment issued by the third respondent. Contrarily, she had waited for about 3 years, the present writ petition is filed seeking for a direction to direct the respondent to conduct the interview in the proper manner by considering her recommendation. As of now, there is no notification for recruitment to the post of Village Assistant. Therefore, no such interview can be conducted nor the representation submitted by the writ petitioner is to be considered.

3.This court is of an opinion that appointment can never be claimed as a matter of right. All appointments are to be made only by following the recruitment rules in force. Equal opportunity in public employment is a constitutional mandate and the authorities competent have to conduct the process of selection in a fair and reasonable manner and by adhering to the established principles of selection. Thus, a mere submission of representation will not constitute a right for a candidate to claim for appointment. All the eligible persons are to be considered while undertaking the process of selection in accordance with rules in force. The petitioner is at liberty to participate in the process of selection when the recruitment notification is issued. Contrarily, the writ petitioner cannot submit a representation and file a writ petition seeking a direction to consider the representation for the purpose of conducting an interview or to issue an order of appointment.

4.Under these circumstances, the writ petitioner has not established any cause of action for the purpose of entertaining the writ petition. So also the writ petitioner has not established even a semblance of legal right so as to consider the relief as such sought for in this writ petition.

5.Accordingly, the writ petition is devoid of merits and stands dismissed. However, there is no order as to costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

mayya

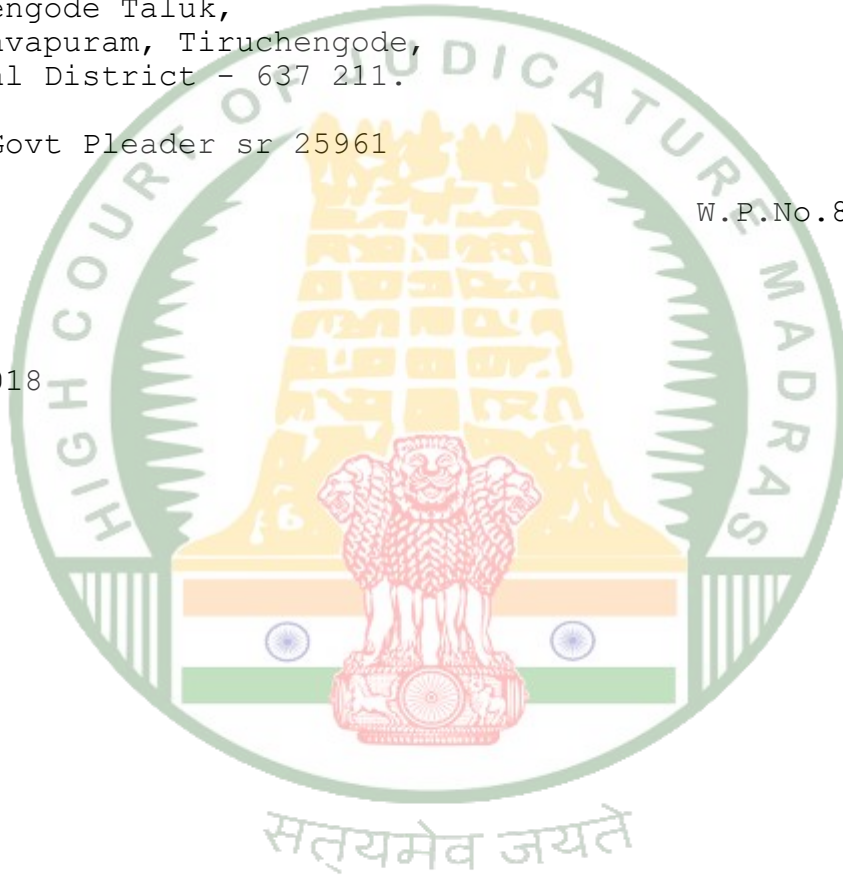
To

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+1 cc to Govt Pleader sr 25961

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