

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2019

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.3387 of 2019
and
W.M.P.No.3669 of 2019

N.Prabha

...Petitioner

Vs

1. The District Collector,
Villupuram,
Villupuram District.

2. The Block Development Officer,
Thirukovilur,
Thirukovillur Panchayat Union,
Villupuram District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to finalize the selection process in furtherance of the interview held on 05.09.2018 for the post of Nutrition Assistant/Cooking Assistant, in Government Aided Primary School, Vengur Village, Melmalayanur Taluk, Villupuram District under the Puratchi Thailaivar M.G.R. Nutrition Scheme and appoint the petitioner by considering her representation dated 10.09.2018 and grant such other relief, which this Court may deem fit and proper under the circumstances of the case.

For Petitioner : Mr.R.Rajarajan

For Respondents : M/s.P.Rajalakshmi
Additional Government Pleader
for R1

Mr.R.P.Pratap singh, for R2.

O R D E R

The relief sought for in the present writ petition is for a direction to direct the 1st respondent to finalize the selection process in furtherance of the interview held on 05.09.2018 for the post of Nutrition Assistant/Cooking Assistant, in Government Aided Primary School Vengur Village, Melmalayanur Taluk, Villupuram District under the Puratchi Thailaivar M.G.R. Nutrition Scheme and appoint the petitioner by considering her representation dated 10.09.2018.

2. The learned counsel for the writ petitioner states that the writ petitioner is the resident of Thulampoondi village, which is situated within 10 km radius to Vengoor village. The writ petitioner is a Destitute Widow and accordingly submit an application for appointment to the post of Nutrition Assistant/Cooking Assistant in Government Aided Primary School. The process of interview had already been completed and the final selection is yet to be notified by the authorities competent.

3. The grievances of the writ petitioner is that no selection process had been concluded and therefore, the writ petition is constrained to move the present writ petition.

4. This Court is of an opinion that participation in the process of selection will not confer any right of the writ petitioner to file the writ petition and seek for a direction to conclude the selection process. The authorities competent even during the process of selection is empowered to cancel the same on administrative grounds. Only in the event of any malpractices or corrupt activities, the candidate can challenge the process of selection in the manner known to law. If the decision taken administratively to cancel the selection. The candidates, who participated in the selection cannot claim any right over the selection on account of the fact that they had participated in the process. Appointment itself can never be claimed as a matter of right. The process of selection can be challenged only on the limited grounds.

5. In the present case on hand, though the process of selection commenced, the authorities have not concluded the same. Thus, the present writ petition cannot be entertained as the writ petitioner has not established even a semblance of legal right, so as to consider the relief as such sought for in the present writ petition.

6. Accordingly, the present writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

kak/kmm

To

1. The District Collector,
Villupuram,
Villupuram District.
2. The Block Development Officer,
Thirukovilur,
Thirukovillur Panchayat Union,
Villupuram District.

+1 cc to Mr.R.Raja Rajan, Advocate, S.R.No.9875

+1 cc to M/s.R.P.Prathap Singh, Advocate, S.R.No.10897

+1 cc to the Government Pleader, S.R.No.10819

W.P.No.3387 of 2019

GP(CO)
SSM(28/02/2019)

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