

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2019

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.3513 of 2019

Kruthiga

.. Petitioner

Vs.

1.The District Collector,
Collectorate,
Thiruvarur District.

2.The District Programme Officer,
Integrated Child Development Scheme (ICDS),
Thiruvarur & District.

3.The Child Development Programme Officer,
Thiruvarur & District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, to direct the respondents to appoint the petitioner as Anganwadi worker at the Azhagiri Nagar Anganwadi centre in Thiruvarur District.

For Petitioner : Mr.P.Vijendran

For Respondents : Mr.D.Suriya Narayanan,
Additional Government Pleader.

सत्यमेव जयते
O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondents to appoint the petitioner as Anganwadi worker at the Azhagiri nagar Anganwadi Centre in Thiruvarur District.

2. The grievances of the writ petitioner is that 5 candidates submitted their respective application for recruitment to the post of Anganwadi worker.

3. The learned counsel for the petitioner orally made a submission that out of five candidates, the applications of four candidates were rejected on various grounds. The application of

the writ petitioner alone was forwarded for the purpose of considering him for selection. Thus, it is to be declared that the writ petitioner is the only person, who was selected and accordingly, an order of appointment is to be issued. Such a process now mooted out before this Court deserves no merit consideration in view of the fact that the appointment can never be claimed as a matter of right. Mere participation in the selection of process will not confer any right on the candidate to seek a direction to appoint him. An administrative decision even to cancel the process of selection can be taken by the competent authorities at any point of time. Thus, the decision in this regard is to be taken by the authorities competent and only after taking a decision, the cause may arise for the writ petitioner to move further.

4. However, as of now, the process of selection has been concluded and the authorities have not taken any decision either to appoint the writ petitioner or to go for a fresh selection process or defer the appointment or otherwise. When more than one options are available for the administration, the candidate, who participated in the process of selection would not have any right to question such a decision to be taken for the administrative authorities. Thus, the writ petitioner has not set out any cause of action for the purpose of considering the relief as such sought for in the present writ petition. In view of the fact that the appointment can never be claimed as a matter of right as of now, the writ petitioner may not be considered as an aggrieved person so as to entertain in the writ petition.

5. Thus, the present writ petition deserves no merit consideration. Accordingly, the writ petition stands dismissed. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Collectorate,
Thiruvarur District.

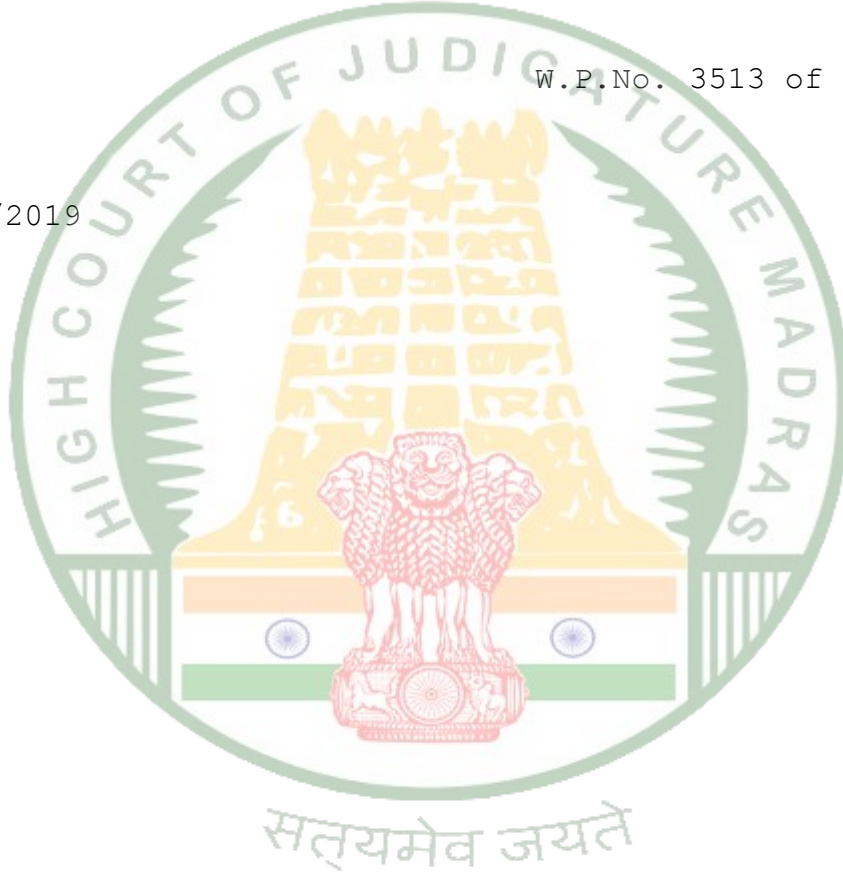
2.The District Programme Officer,
Integrated Child Development Scheme(ICDS),
Thiruvavarur & District.

3.The Child Development Programme Officer,
Thiruvavarur & District.

+lcc to Mr.P.Vijendran, Advocate Sr.10371
+lcc to the Government Pleader Sr.10792

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kk[co]
srg 14/03/2019



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