

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 04.02.2019

Coram

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

W.P.No.857 of 2018
and
W.M.P.No.1023 of 2018

Vasantha

... Petitioner

Vs.

The Taluk Officer,
Veppur Taluk
Cuddalore District.

...Respondent

Prayer :

Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider the petitioner for the post of Village Assistant in Orangur Village, Veppur Taluk, Cuddalore District, in pursuance of the interview held on 29.12.2017.

For Petitioner : Mr.C.K.M.Appaji

For Respondent : Mr.A.N.Thambidurai
Special Government Pleader

ORDER

The relief sought for in the present Writ Petition is for a direction to direct the respondent to consider the Writ Petitioner for appointment to the post of Village Assistant in Orangur Village, Veppur Taluk, Cuddalore District, in pursuant to the interview held on 29.12.2017.

2. The grievance of the Writ Petitioner is that she is a permanent resident of Orangur Village, Veppur Taluk, Cuddalore District and participated in the selection process for appointment to the post of Village Assistant. Though the Writ Petitioner had participated in the process of selection, she has not received any communication with reference to the selection already conducted. Thus, the Writ Petitioner is constrained to move the present Writ Petition.

3. The learned counsel for the petitioner states that nobody has been appointed in the said post of the Village Assistant.

4. However, the case of the Writ Petitioner is to be considered in view of the fact that she participated in the process of interview. Appointment can never be claimed as a matter of right. The candidate, who appeared in the process of selection or interview, cannot claim appointment as a right. Mere participation in the selection process will not grant any right to the candidate to seek for an appointment. In the present case, no appointment order has been issued in favour of any person. The process of selection can be cancelled even at the last stage and it is administrative prerogative of the competent authority concerned. This being the legal principles, mere participation in the process of selection and interview cannot constitute the cause of action for the Writ Petitioner to file the present Writ Petition under Article 226 of the Constitution of India and the Writ proceedings can be entertained challenging the selection if the process of selection is perverse or in violation of the statutory rules in force. In the absence of any one of the legal grounds, mere participation in the interview will not be a ground to file the present Writ Petition. Thus, the Writ Petitioner has not established even a semblance of legal right so as to consider the relief as sought in the present Writ Petition.

5. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

raja

To

The Taluk Officer,
Veppur Taluk, Cuddalore District.

+1cc to Mr.C.K.M.Appaji, Advocate, S.R.No.9555
+1cc to the Government Pleader, S.R.No.10271

W.P.No.857 of 2018

and

W.M.P.No.1023 of 2018

VBA (Co)
CS/14/03/2019