

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.02.2019

CORAM :

THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM

W.P.No.12984 of 2018
and
W.M.P.No.21284 of 2018

K.Theethan

... Petitioner

Vs.

1.The Director,
Directorate of Local Fund Audit,
Integrated Complex for Finance Department,
5th Floor, Saidapet Animal Husbandry Hospital Campus,
Nandanam, Chennai - 600 035.

2.The Assistant Director,
Assistant Director Officer,
Local Fund Audit,
Pennagaram Main Road,
Dharmapuri District - 636 701.

.... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to select the petitioner as Office Assistant of the 2nd respondent office by considering the appeal made by the petitioner dated 09.05.2018 with all consequential service and monetary benefits.

For Petitioner : Mr.P.Ganesan

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

O R D E R

The relief sought for in the present writ petition is for a direction to direct the 2nd respondent to select the petitioner as Office Assistant of the 2nd respondent office, by considering the appeal made by the petitioner, dated 09.05.2018, with all consequential service and monetary benefits.

2.The prayer as such sought for in the present writ petition is misconceived. Appointment can never be claimed as a matter of right. All appointments are to be made strictly in accordance with law and with reference to the recruitment rules in force.

3.The learned counsel for the writ petitioner states that the petitioner had participated in the process of selection on more than two occasions, however, no appointment order has been issued to the petitioner.

4.Mere participation in the process of selection would not confer any right on the candidates to claim an order of appointment. It is not established that the respondents had committed any illegality, malpractice or corruption activities in the matter of selection. In the absence of any such allegations, mere non-issuance of appointment order would not provide any cause for the writ petitioner to claim appointment as a matter of right.

5.The writ petitioner is at liberty to participate in the process of selection, if any, undertaken by the competent authorities and therefore, no direction as such sought for in the present writ petition can be granted to the writ petitioner.

With these observations, the writ petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

To

1.The Director,
Directorate of Local Fund Audit,
Integrated Complex for Finance Department,
5th Floor, Saidapet Animal Husbandary Hospital Campus,
Nandanam, Chennai - 600 035.

2.The Assistant Director,
Assistant Director Officer,
Local Fund Audit,
Pennagaram Main Road,
Dharmapuri District - 636 701.

+lcc to the Government Pleader sr.14594

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srg 13/03/2019



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