

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.02.2019

CORAM

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.16544 of 2018

R.Anish

.. Petitioner

Vs

1.The State of Tamil Nadu,
Rep. By its Secretary,
Municipal Administration & Water
Supply Department,
Fort St.George,
Secretariat,
Chennai - 600 009.

2.The Director of Town Panchayat,
Kuralagam,
Chennai - 108.

3.The District Collector,
Vellore District,
Vellore.

4.The Assistant Director of Town Panchayat,
Vellore Zone,
Vellore District Collectorate,
Vellore.

5.The Executive Officer,
Pallikonda Selection Grade Town Panchayat,
Vellore District. .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to appoint the petitioner in the post of Junior Assistant or any other equivalent post in accordance to the petitioner's educational qualification by considering the petitioner's representation dated 09.03.2017.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.A.N.Thambidurai
Special Government Pleader for R1 to R4.
Mrs.A.Madhumathi for R5.

ORDER

The relief sought for in the present writ petition is to direct the respondents to appoint the petitioner in the post of Junior Assistant or any other equivalent post in accordance to his educational qualification by considering the representation dated 09.03.2017.

2. Mere submission of representation cannot constitute a ground for seeking appointment. All appointments are to be made only in accordance with recruitment rules in force. Therefore, the claim of the writ petitioner to appoint him in the post of Junior Assistant based on the representation cannot be considered at all.

3. Equal opportunity in public employment is the constitutional mandate. The authorities competent are bound to follow the rules in force, while making the process of selection. The equity clause enunciated under the Constitution must be scrupulously followed by the authorities competent, while undertaking the process of selection and all the eligible persons must be provided with an opportunity to participate in the process of selection.

3. This being the procedures and the principles to be followed, mere submission of representation would not constitute any right on the writ petitioner to secure public employment. Thus, the prayer of the writ petitioner is misconceived and the writ petitioner is at liberty to pursue his remedy in the manner known to law.

4. With the above observations, the writ petition stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary,
State of Tamil Nadu,
Municipal Administration & Water
Supply Department,
Fort St.George,
Secretariat,
Chennai - 600 009.

2.The Director of Town Panchayat,
Kuralagam,
Chennai - 108.

3.The District Collector,
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Vellore District Collectorate,
Vellore.

5.The Executive Officer,
Pallikonda Selection Grade Town Panchayat,
Vellore District.

+1 cc to Mr.R.Jayaprakash, Advocate Sr.No.18012

+1 cc to The Government Pleader, Sr.No.18930

W.P.No.16544 of 2018

LN(CO)
CSL/26.03.2019

सत्यमेव जयते

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