IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2019

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.16738 of 2018
and
WMP.No.19926 of 2018

Tmt.Gayathri ...Petitioner

Vs

1. The District Collector,
   Cuddalore District, Cuddalore.

2. The Project Officer,
   Noon Meal Scheme,
   Kammapuram Panchayat Union,
   Cuddalore District.

3. The Block Development Officer,
   Noon Meal Scheme,
   Kammapuram Panchayat Union,
   Cuddalore District.

4. The Management,
   Government Aided Primary School,
   Kammapuram Panchayat Union,
   Melapalaiyur, Cuddalore District. ...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ or order or orders or direction particularly in the nature of Writ of Mandamus, directing the respondents 1 to 3 herein to appoint the petitioner as Noon Meal Organiser in the 4th respondent school as per the interview held vide letter Na.Ka.No.Aa.5/184/2017 dated 18.02.2017, 3rd respondent.

For Petitioners : Mr.V.K.Rajagopalan

For Respondents : Mrs.P.Rajalakshmi,
Addl.Govt. Pleader

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

O R D E R

The relief sought for in the present writ petition is to direct the respondents 1 to 3 to appoint the writ petitioner as Noon Meal Organizer in the 4th respondent School, as per the interview held vide letter dated 18.02.2017.

2. The learned counsel for the writ petitioner states that the writ petitioner is fully qualified and eligible for appointment to the post of Noon Meal Organizer. She participated in the interview conducted by the respondents. However, no order of appointment has been issued. In this regard, the writ petitioner submitted a representation to the 3rd respondent and the said representation also has not been considered. Accordingly, the present writ petition is filed.

3. Mere participation in the process of selection or attending an interview would not confer any right on the candidate to seek an order of appointment. Admittedly, no person has been appointed in the said post. This being the factum, the submission of representation or participation in the process of selection, cannot be a ground to file a writ petition with the prayer to direct the respondents to consider the representation. All appointments are to be made by following the recruitment rules in force and by providing equal opportunity to all the candidates who all participating in the process of selection. The Competent Authorities are bound to follow the regulations in this regard. The Competent Authorities cannot discriminate the candidates. It is not made clear, whether the selection process has been cancelled or not. However, the learned counsel for the writ petitioner admits that no person has been appointed in the said post.

4. This being the factum, 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. However, it is left open to the writ petitioner to participate in the next selection process if any notified by the Competent Authorities. Accordingly, the writ petition stands dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

WEB COPY

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Pkn

https://hcservices.ecourts.gov.in/hcservices/

To

1. The District Collector,
   Cuddalore District, Cuddalore.

2. The Project Officer,
   Noon Meal Scheme,
   Kammapuram Panchayat Union,
   Cuddalore District.

3. The Block Development Officer,
   Noon Meal Scheme,
   Kammapuram Panchayat Union,
   Cuddalore District.

4. The Management,
   Government Aided Primary School,
   Kammapuram Panchayat Union,
   Melapalaiyur, Cuddalore District.

+1 cc to Mr.V.K.Rajagopalan, Advocate, S.R.No.20768

+1 cc to the Government Pleader, S.R.No.21450

W.P.No.16738 of 2018

BR(CO)
SSM(26/03/2019).

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/