

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.03.2019

CORAM

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

W.P.No.17948 of 2018
and
W.M.P.No.21247 of 2018

P.Selvi

..Petitioner

vs

1.The District Collector,
Villupuram District.

2.The Child Development Project Officer
Child Development Project Office,
Thiyagadurugam
Kallakurichi Taluk
Villupuram District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 25.03.2018 for filling up the post of Anganwadi Paniyalar in Somanathapuram Centre, Thiyagadurugam Block, Kallakurichi Taluk, Villupuram District.

For Petitioner : Mr.D.Nagarajan

For Respondents : Mr.M.Jothikumar
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 consider the petitioner's representation dated 25.03.2018 for filling up the post of Anganwadi Paniyalar in Somanathapuram Centre, Thiyagadurugam Block, Kallakurichi Taluk, Villupuram District.

2.The writ petitioner made an attempt to secure a public employment, more specifically, appointment to the Post of Anganwadi Paniyalar by submitting a representation. Mere submission of representation would not confer any right on the writ petitioner to claim appointment or to consider

representation. Even to issue a direction to consider the representation, the petitioner is bound to establish a legal right. In the absence of establishing any such legal right, no writ petition would be entertained under Article 226 of the Constitution of India.

3. On a perusal of the representation submitted by the writ petitioner dated 25.03.2018, the writ petitioner pleads certain personal grievances and requesting the respondents to provide her an appointment to the Post of Anganwadi Paniyalar. All such appointments are to be made only by following the recruitment rules in force. If at all, the writ petitioner is qualified and if any notification is issued, then the writ petitioner is at liberty to participate in the process of selection in the manner prescribed. However, the writ petition filed to consider the representation cannot be granted in view of the fact that the writ petitioner is attempting to create a cause of action by filing the present writ petition and therefore, the same cannot be considered.

4. This 'dispose of the representation' mantra is increasingly permeating the judicial process in the High Courts and the Tribunals. Such orders may make for a quick or easy disposal of cases in overburdened adjudicatory institutions. But, they do no service to the cause of justice. The litigant is back again before the Court, as this case shows, having incurred attendant costs and suffered delays of the legal process. This would have been obviated by calling for a counter in the first instance, thereby resulting in finality to the dispute.

5. With these observations, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Deputy Registrar (C.S)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Villupuram District.

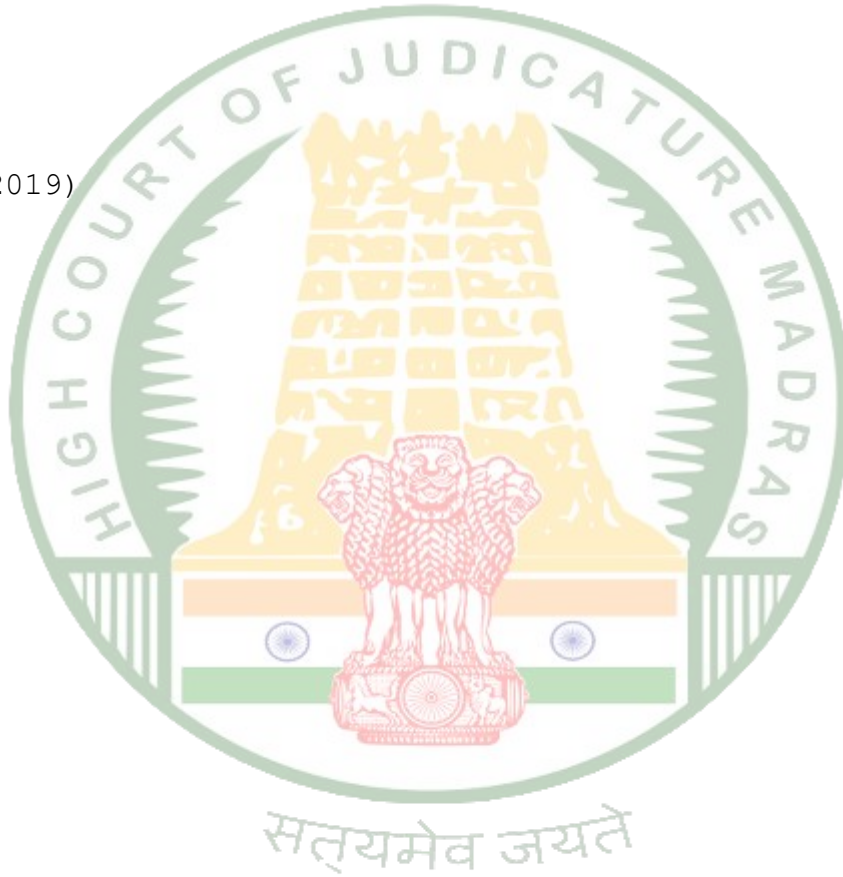
2.The Child Development Project Officer
Child Development Project Office,
Thiyagadurugam
Kallakurichi Taluk
Villupuram District.

+1cc to the Government Pleader, S.R.No. 25131

+1cc to Mr.D.Nagarajan Advocate, S.R.No. 24609 (25/04/2019)

W.P.No.17948 of 2018

RK (CO)
GN (04/04/2019)



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