

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :11.04.2019
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.30575 of 2018
and
W.M.P.No.35656 of 2018

Vasumathi

..Petitioner

vs

- 1.The District Collector,
Cuddalore District,
Cuddalore.
- 2.The Personal Assistant (NMP) to the Collector
Cuddalore District,
Cuddalore.
- 3.The Commissioner,
Panchayat Union,
Kumaratchi,
Cuddalore District.
- 4.The Correspondent,
TELC Primary School,
Athangudi Village,
Sirahizhanthanallur Post,
Kattumannarkoil Taluk,
Cuddalore District
608 302.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent for making appointment to the petitioner in the post of Noon Meal Organizer in the TELC Primary School, Athangudi Village, Sirahizhanthanallur Post, Kattumannarkoil Taluk, Cuddalore District.

For Petitioner : Mr.G.Pugazhenth
For Respondent : Mr.R.S.Selvam
Government Advocate for R1 & R2

M/s.Thangavadhana Balakrishnan
for R3

O R D E R

The relief sought for in the present writ petition is for a direction to direct the 2nd respondent for making appointment to

the petitioner in the post of Noon Meal Organizer in the TELC Primary School, Athangudi Village, Sirahizhathanallur Post, Kattumannarkoil Taluk, Cuddalore District.

2.The grievances of the writ petitioner is that, twice she attended the interview for appointment to the Post of Noon Meal Organizer in the 4th respondent School. Inspite of that, the Post of Noon Meal Organizer has not been filled up and therefore, the writ petitioner is constrained to move the present writ petition.

3.Appointment can never be claimed as a matter of right. All appointments are to be made only by following the recruitment rules in force. Mere participation in the process of selection or attending an interview would not confer any right on the writ petitioner to claim appointment.

4.Admittedly, the Post of Noon meal organizer has not been filled up by the respondents. Thus, only in the event of filling up the post of Noon Meal Organizer, the case of the writ petitioner is to be considered. Contrarily, based on the interview attended by her, the writ petitioner cannot seek appointment. The authorities competent are empowered even to cancel the process of selection and go for a new selection, if there is any impediment or any irregularity is identified during the process of selection. However, the decision in this regard is to be taken by the administrative authorities and the right of appointment cannot be claimed only based on the interview attended by the writ petitioner.

5.This being the legal principles to be followed, the relief as such sought for in the present writ petition cannot be granted and accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

सत्यमेव जयते
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Cuddalore District,
Cuddalore.

2.The Personal Assistant(NMP) to the Collector
Cuddalore District,
Cuddalore.

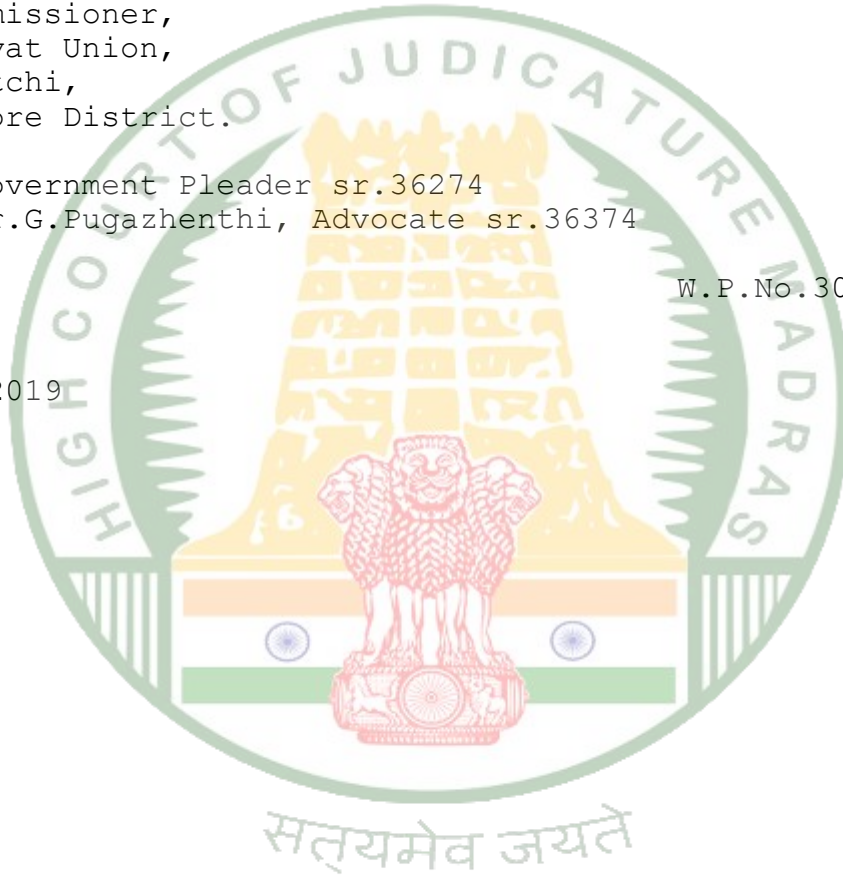
3.The Commissioner,
Panchayat Union,
Kumaratchi,
Cuddalore District.

+lcc to Government Pleader sr.36274

+lcc to Mr.G.Pugazhenthii, Advocate sr.36374

W.P.No.30575 of 2018

rr(co)
nr 28/05/2019



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