

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2019

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.Nos.33431 and 33433 of 2018
and
WMP.Nos. 38797 38807 of 2018

B. Balaji ... Petitioner in W.P.No.33431 of 2018

K.Renuga ... Petitioner in W.P.No.33433 of 2018

-Vs-

1. Member Secretary,
Teachers Recruitment Board,
College Road,
Chennai - 600 006.
2. Secretary to Government,
School Education Department,
Fort St.George,
Chennai - 600 009. ... Respondents in both WPs.

PRAYER in W.P.No.33431 of 2018: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to directing the respondents to select and appoint the petitioner as Computer Instructor under "Backward Class" category in terms of Recruitment Notification dated 13.10.2014.

PRAYER in W.P.No.33433 of 2018: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to directing the respondents to select and appoint the petitioner as Computer Instructor under "General Turn" category in terms of Recruitment Notification dated 13.10.2014.

For petitioner
in both WPs. : Mr. S.Mohammed Uduman
For Respondents
in both WPs : Mr.C.Munusamy,
Special Government Pleader for R1
Mr.A.Rajaperumal
Additional Government Pleader
for R2

COMMON ORDER

The relief sought for in these writ petitions is to direct the respondents to select and appoint the petitioners as Computer Instructor under "Backward Class" category in terms of Recruitment Notification dated 13.10.2014. Admittedly, the recruitment notification was issued in Advertisement No.07/2014, dated 13.10.2014.

2. The recruitment notification is for appointment to the post of Computer Instructor by way of direct recruitment for Government Higher Secondary Schools under the control of the Directorate of School Education, Chennai -6, now more than five years has lapsed from the date of recruitment notification.

3. The writ petitioners claims that they must be selected and appointed to the post of Computer Instructor. The writ petitioners were unsuccessful in the process of selection and constrained to file these writ petitions.

4. Appointment can never be claimed as a matter of legal right. All appointments are to be made strictly in accordance with the Recruitment Rules in force. The process of selection can be challenged only on limited grounds. It is challenged only if the same is in violation of rules or any misappropriations or corrupt activities, then alone a writ would be entertained against the process of selection and not otherwise. Equal opportunity in public employment is the constitutional mandate. All the persons who are eligible must be provided with an opportunity to participate in the process of selection for the purpose of securing public employment.

सत्यमेव जयते

5. Lakhs and Lakhs of youth of our great Nation are aspiring to secure public employment by participating in the open competitive process. This being the current situation, this Court is of an opinion that the writ petitioner has to participate in the process of selection and must secure appointment on merits and in accordance with law. Contrarily, the relief sought for in these writ petitions is absolutely misconceived and the writ petitioners has not established even a semblance of legal right, so as to consider the relief.

6. Accordingly, these writ petitions stand dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

mp/pns

1. Member Secretary,
Teachers Recruitment Board,
College Road,
Chennai - 600 006.

2. Secretary to Government,
School Education Department,
Fort St.George,
Chennai -600 009.

+3 cc to Mr.S.Mohamed Uduman, Advocate Sr.35253, 34943
+1cc to the Government Pleader Sr.35307

W.P.Nos.33431 and 33433 of 2018
and WMP.Nos. 38797 38807 of 2018

sr[co][
srg 04/06/2019

सत्यमेव जयते

WEB COPY