



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.10212 of 2012

WEB COPY

D.Anbalagan

... Petitioner

vs.

The District Collector
Sivagangai District
Sivagangai

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondent to dispose of petitioner's representation dated 16.06.2011 and 01.11.2011 sent along with the list of names of selected persons for the appointment to the post of Noon Meal Organiser in our school within a time frame as fixed by this Court.

For Petitioner : Mr.B.Prahalad Ravi
for M/s.Hallmark Associates

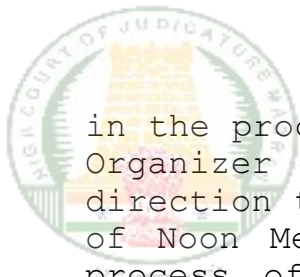
For Respondent : Mr.M.Jeyakumar
Additional Government Pleader

O R D E R

The relief sought for in the present writ petition is for a direction to the respondent to dispose of the writ petitioner's representations, dated 16.06.2011 and 01.11.2011, sent along with the list of the names of selected persons for appointment to the post of Noon Meal Organizer.

2. Admittedly, the writ petitioner was not selected for appointment to the post of Noon Meal Organizer. The claim of the writ petitioner is that he has submitted a representation along with the list of the names of selected persons and therefore, he must be appointed.

3. All appointments are to be made strictly in accordance with recruitment rules in force. Mere submission of representation would not confer any right on the writ petitioner to claim appointment. Submission of representation against the process of selection can entertained. However, the claim of the writ petitioner for appointment cannot be entertained and therefore, the very relief sought for in the present writ petition is absolutely untenable. The writ petitioner being an unsuccessful candidate



in the process of selection for appointment to the post of Noon Meal Organizer cannot file a writ petition for the purpose of issuing a direction to consider the representation and appoint him to the post of Noon Meal Organizer. Only in the event of succeeding in the process of selection, the case of the writ petitioner is to be considered for appointment. This being the principles to be followed, 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. The writ petitioner is at liberty to participate in the ensuing process of selection, if any notified by the respondents for selection.

4. Accordingly, the writ petition is devoid of merits and stands dismissed. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

krk

To:
The District Collector,
Sivagangai District,
Sivagangai.

+1 CC to M/s.SPL GP (SR-83989[F] dated 28/08/2019)

+1 CC to M/s.B.PRAHALAD RAVI, Advocate (SR-84093[F] dated 29/08/2019)

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KK/SAR/04.09.2019/2P-4C/