

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 26.07.2019****CORAM:****THE HONOURABLE MR. JUSTICE S.M. SUBRAMANIAM****W.P. (MD) No. 19262 of 2013****and****M.P (MD) No. 1 of 2013**

A. John Peter

... Petitioner

Vs.

1. The Director,
Backward Class Welfare Office,
Chepauk, Chennai-5.
2. The District Collector,
Office of the District Collector,
Pudukottai.
3. The Welfare Officer,
District Backward Class and
Minority Welfare Office,
Collectorate Office,
Pudukottai.
4. The District Employment Officer,
The District Employment Office,
Pudukottai.

... Respondents

PRAYER: Writ Petitions under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 to appoint the petitioner to the post of Graduate Warden in the Students Hostel runs under the Backward class Welfare Office, in view of the priority category allotted under the Ex-Servicemen quota within the time stipulated by this Court.

For Petitioner : Mr. SM. Siddharthan,

For Respondents : Mr. M. Jeyakumar,
Additional Government Pleader**ORDER**

The relief sought for in the present writ petition is for a direction to direct the respondents 1 to 3 to appoint the petitioner to the post of Graduate Warden in the Students Hostel runs under the Backward class Welfare Office under the priority category allotted to the Ex-Servicemen.



2.The petitioner states that he is an Ex-Service man and rendered 17 years of service in the Indian Army. The petitioner retired from the services of the Indian Army and thereafter, registered his name in the Employment Exchange under the Ex-Service man category. The name of the writ petitioner was sponsored for selection to the post of Graduate Warden in the Backward class Department. The petitioner participated in the process of selection. The grievance of the writ petitioner is that though he is eligible for appointment under the Ex-Service Man quota, he was not selected.

3. Mere fact that the writ petitioner is an Ex-Service man, the same would not confer any right to seek an appointment. Appointment even under the priority category are to be made by following the merit assessment and ranking. Many other Ex-Service men would have participated in the process of selection, even otherwise also the eligibility criteria, educational qualifications, age limit prescribed in the recruitment notifications as well as in the service rules are to be followed at the time of finalising the selection list. In the present case, even as per the writ petitioner, he participated in the process of selection and not selected. There is no allegation of malpractice or corrupt activities in the process of selection. The petitioner claims that he is entitled to be appointed under the priority category of Ex-Service man quota and therefore, this Court should direct the respondents to appoint the writ petitioner. Such a relief sought for in the writ petition cannot be granted in the absence of establishing that the writ petitioner is entitled to be selected with reference to the terms and conditions of the recruitment notification. Admittedly, the writ petitioner was not selected and in the absence of any such illegality or irregularity in the process of selection, the relief as such sought for cannot be granted and the writ petition is devoid of merits.

4.Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

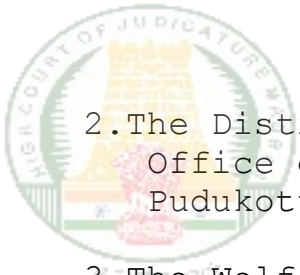
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Sub Assistant Registrar(CS)

To

1.The Director,

<https://hcservices.ecourts.gov.in/hcservices> Backward Class Welfare Office,
Chepauk, Chennai-5.



2.The District Collector,
Office of the District Collector,
Pudukottai.

3.The Welfare Officer,
District Backward Class and
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4.The District Employment Officer,
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CS(06.08.2019) 3P 6C