



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2019

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P[MD]No.308 of 2014

WEB COPY

M.Ravi

... Petitioner

Vs.

1.The Deputy General Manager,  
Syndicate Bank,  
Regional Office,  
Coimbatore.

2.The Branch Manager,  
Syndicate Bank,  
Thiruvattar Branch,  
Thiruvattar,  
Kanyakumari District.

3.Abraham Prabhu

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent herein to initiate appropriate action on the third respondent for the illegalities committed by him in the second respondent Bank and also to direct the respondents to follow the process while appointing the Jewel Appraiser by considering the representation of the petitioner dated 29.08.2013 within a stipulated period that may be fixed by this Court.

For Petitioner : Mr.T.Jeen Joseph

For Respondents : Mr.M.Chithambara Kumar Bharathi

### **O R D E R**

The relief sought for in the present writ petition is for a direction to direct the first respondent to initiate appropriate action on the second respondent for the illegalities committed by him in the second respondent Bank and also direct the respondents to follow the process while appointing the Jewel Appraiser by considering the representation of the petitioner dated 29.08.2013.

2.The writ petitioner is an aspiring candidate for appointment to the post of Jewel Appraiser in the respondent Bank.

3.Learned Counsel for the writ petitioner states that the services of the writ petitioner were utilised by the Bank authorities while opening a branch at Thiruvattar. Therefore, the post of Jewel Appraiser ought to have been offered to the writ



petitioner. However, the learned Counsel for the writ petitioner states that denying the claim of the writ petitioner, another person was appointed as Jewel Appraiser in the Bank. Thus, the writ petitioner is constrained to move the present writ petition.

4.Learned Counsel for the respondent states that the post of Jewel Appraiser is not a sanctioned post. The Jewel Appraisers are engaged on commission basis and their working hours are very much limited. Therefore, there is no permanent appointment of Jewel Appraiser provided in the respondent Bank. This apart, the writ petitioner was not even appointed or engaged at any point of time. His assistance for opening a Branch is no way connected with the appointment of the writ petitioner in the post of Jewel Appraiser.

5.Appointment can never be claimed as a matter of right. However, appointments are to be made strictly in accordance with the recruitment rules in force. Whenever the recruitment notification is issued to the particular post, the writ petitioner is at liberty to participate in the process of selection, if he is otherwise qualified in accordance with the rules in force. However, the very claim of the writ petitioner that his assistance was utilised for the purpose of opening a branch would not confer any right on him to claim appointment in the very same bank. The writ petitioner has not established any legal right so as to consider the relief as such sought for in this writ petition.

6.Accordingly, the Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (Cr1.Side)

// True Copy //

Sub Assistant Registrar(CS )

+1 CC to Mr.M.CHIDAMBARA KUMAR BARATHI, Advocate SR-75553.

+1 CC to Mr.S.C.HEROLD SINGH, Advocate SR-75658.

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