

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 18.07.2019****CORAM:****THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM****W.P. (MD) No.4958 of 2014**

T.Athimoolam

... Petitioner

-Vs-

1. The Director of Municipal Administration,
O/o. Directorate of Municipal Administration,
Ezhilagam, Chennai.
2. The District Collector,
O/o. The Collectorate,
Thirunelveli District, Thirunelveli.
3. The District Employment Officer,
Collectorate Complex,
Thirunelveli District, Thirunelveli.
4. The Commissioner,
Vikramasingapuram Municipality,
Ambasamudram Taluk,
Thirunelveli District.

5.Manonmani

...Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent No.4 to consider the petitioner's representation dated 27.07.2013 and consequently, recruiting the petitioner for their existing vacancies from the respondent No.3 office based on seniority list within the time frame fixed by this Court.

For Petitioner	: Mr.S.A.S.Alaudeen
For R1 to R3	: Mr.M.Jeyakumar, Additional Government Pleader.
For R4	: No Appearance
For R5	: Mr.H.Arumugam

ORDER

The relief sought for in the present Writ Petition is for a direction to direct the fourth respondent to consider the



representation submitted by the writ petitioner on 27.07.2013 and to recruit the writ petitioner in the existing vacancy on seniority.

2. The learned counsel appearing on behalf of the writ petitioner states that he is fully qualified for appointment to the post in the Vikramasingapuram Municipality, Ambasamudram Taluk. The writ petitioner submitted a representation, seeking appointment and the said representation has not been considered. Thus, the writ petitioner is constrained to move the present Writ Petition.

3. Appointments 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. Mere submission of representation or application would not confer any right on the writ petitioner to claim appointment. Whenever recruitment notification is issued for selection, then the writ petitioner is at liberty to participate in the process of selection and secure employment on merits and in accordance with law.

4. This being the principles to be followed, mere submission of the representation would not provide any cause for the writ petitioner to file a Writ Petition, seeking a direction to consider his representation. Even for issuing a direction to consider the representation, the writ petitioner has to establish a legal right. However, in the present Writ Petition, 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. Accordingly, this Writ Petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Director of Municipal Administration,
O/o. Directorate of Municipal Administration,
Ezhilagam, Chennai.

2. The District Collector,
O/o. The District Collectorate,
Thirunelveli District, Thirunelveli.



3. The District Employment Officer,
Collectorate Complex,
Thirunelveli District, Thirunelveli.

4. The Commissioner,
Vikramasingapuram Municipality,
Ambasamudram Taluk,
Thirunelveli District.

+1 CC to Mr.H.ARUMUGAM, Advocate (SR-76241[F] dated 19/07/2019)

+1 CC to Special Government Pleader (SR-76263[F] dated 19/07/2019)

W.P (MD) No. 4958 of 2014
18.07.2019

Myr

AE/ (29.07.2019) 3P 7C