



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.5108 of 2014

WEB COPY

D.Lakshmi Praba

... Petitioner

Vs.

The Divisional Engineer (Highways),
Construction and Maintenance,
Highways Department,
Dindigul, Dindigul District.

... Respondent

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order issued by the respondent in Ku.No.1313/2013/A1 dated 2.5.2013 quash the same and consequently direct the respondent to consider and appoint the petitioner as Road Inspector Grade II with effect from 20.11.2009 with all monetary and other consequential benefits.

For Petitioner : Mr.L.Shaji Chellan

For Respondent : Mr.M.Jeyakumar,
Additional Government Pleader

ORDER

The order impugned dated 02.05.2013 states that the writ petitioner was not selected in the interview and therefore, he was not appointed to the post of Road Inspector Grade-II.

2. The learned counsel appearing on behalf of the writ petitioner states that the petitioner is fully qualified for appointment to the post of Road Inspector Grade-II. The name of the writ petitioner was sponsored by the Employment Exchange concerned for the purpose of participating in the process of selection. Pursuant to the call letter, the writ petitioner attended the interview on 05.06.2009, however, the writ petitioner was not appointed.

3. The learned counsel for the writ petitioner states that the writ petitioner was higher qualified and she is senior in Employment Registration. In spite of the seniority in the Employment Registration, the petitioner was not appointed.



4. The Employment seniority is not a criteria for providing appointment to the particular post. Employment seniority maintained in the respective Employment Exchanges is only for the purpose of sponsoring the names of the qualified persons and therefore, mere seniority in registration would not provide any right to claim appointment. In other words, registration in Employment Exchange Office is a facility provided to the citizen for the purpose of availing employment opportunity at the time of sponsoring the candidates. In the present case, the name of the writ petitioner was sponsored and he participated in the process of interview, however, the petitioner was not selected. In view of the fact that he was not selected, he files the present writ petition.

5. This Court is of the considered opinion that the writ petitioner has not raised any acceptable legal grounds regarding any malpractices or illegalities in the process of selection. In the absence of any acceptable grounds, the selection cannot be interfered with nor the writ petitioner can claim appointment merely based on the fact that she is a senior in the Employment Exchange. This being the principles to be followed, the writ petitioner has not established any acceptable legal grounds for the purpose of considering the relief as such sought for in the present writ petition.

6. Accordingly, the writ petition stands dismissed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

The Divisional Engineer (Highways),
Construction and Maintenance,
Highways Department,
Dindigul, Dindigul District.

+1 CC to SPL GP SR-79982.

+1 CC to Mr.L.SHAJI CHELLAN, Advocate SR-80027.

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