



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.07.2019

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WEB COPY

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**

W.P[MD]No.7433 of 2014

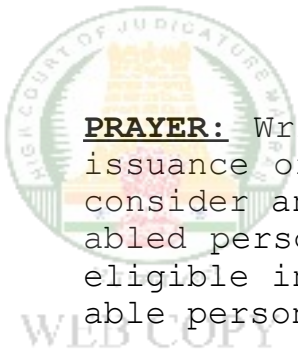
M.Geetha

... Petitioner

Vs.

- 1.The Chairperson cum Chief Secretary,  
State of Tamil Nadu,  
Fort St. George, Secretariat,  
Chennai - 600 009.
- 2.The State of Tamil Nadu,  
Rep. by its Secretary to Government,  
Differently abled persons welfare,  
(Ma.Thi.Na.2.2.) Department,  
Fort St. George, Secretariat,  
Chennai - 600 009.
- 3.The District Collector,  
Dindigul,  
Dindigul District.
- 4.The Commissioner of Municipal Administration  
and Water Supply Department,  
Kuralagam Annexee,  
Chepauk, Chennai - 600 005.
- 5.The Regional Joint Director of Municipal  
Administration & Water Supply Department,  
Melakkal Main Raod,  
Kochadai,  
Madurai.
- 6.The Commissioner,  
Kodaikanal Municipality,  
Kodaikanal,  
Dindigul District.
- 7.The Assistant Director,  
O/o. Employment Exchange,  
Collectorate Campus,  
Dindigul.

... Respondents



**PRAYER:** Writ Petition filed under Article 226 of the of India for issuance of a Writ of Mandamus, directing the respondents herein to consider and select the petitioner under the category of differently abled person in any one of suitable post to which the petitioner is eligible in the light of the Government (Standing) No.01/Differently able persons welfare (Ma.thi.Na.2.2.) Department dated 02.01.2012.

|                          |                                                  |
|--------------------------|--------------------------------------------------|
| For Petitioner           | : Mr.R.Thangapandian                             |
| For Respondents 1 to 5&7 | : Mr.K.Mu.Muthu<br>Additional Government Pleader |
| For Respondent No.6      | : Mr.T.S.Mohammed Mohideen<br>Standing Counsel   |

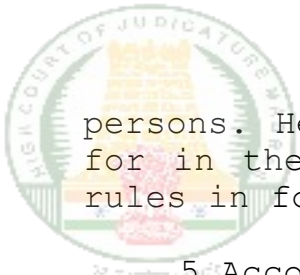
### O R D E R

The relief sought for in the present writ petition is for a direction to direct respondents herein to consider and select the petitioner under the category of differently abled person in any one of the suitable post which the petitioner is eligible in the light of the Government (Standing) No.01/Differently able persons welfare (Ma.thi.Na.2.2.) Department dated 02.01.2012.

2.Learned Counsel for the petitioner states that the writ petitioner is a differently abled person and registered her name in the District Employment Exchange. The writ petitioner is waiting for an opportunity to get employment for several years. She made an application to the respondents for providing appointment in any one of the suitable post.

3.This Court is of the considered opinion that mere registration of the name of the petitioner would not confer any right on the petitioner to seek appointment. So also, the submission of representation or application to the authorities would not provide any right for the purpose of securing employment by filing a writ petition.

4.All appointments are to be made strictly in accordance with the recruitment rules in force. Equal opportunity in public employment is a constitutional mandate. Whenever the competent authority has taken a decision to undertake the process of selection, an opportunity must be provided to eligible candidates including the candidates who have registered under the employment exchange. Thus, if any recruitment notification is issued for selection, then alone the writ petitioner can submit her application and participate in the process of selection and accordingly, secure appointment and not otherwise. Thousands of differently abled persons are there in our country. This being the factual aspect, equal opportunity should be provided to all the similarly placed



persons. Hence, this Court cannot issue a direction as such sought for in the present writ petition, in violation of the recruitment rules in force.

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

WEB COPY

Sd/-  
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

1. The Chairperson cum Chief Secretary,  
State of Tamil Nadu,  
Fort St. George, Secretariat,  
Chennai - 600 009.
2. The Secretary to Government,  
State of Tamil Nadu,  
Differently abled persons welfare,  
(Ma.Thi.Na.2.2.) Department,  
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3. The District Collector,  
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4. The Commissioner of Municipal Administration  
and Water Supply Department,  
Kuralagam Annexee,  
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5. The Regional Joint Director of Municipal  
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Melakkal Main Road, Kochadai, Madurai.
6. The Commissioner,  
Kodaikanal Municipality,  
Kodaikanal, Dindigul District.
7. The Assistant Director,  
O/o. Employment Exchange,  
Collectorate Campus, Dindigul.

+1 CC to M/s.SPL GP ( SR-76412[F] dated 19/07/2019 )

+1 CC to M/s.R.THANGAPANDIAN, Advocate ( SR-76185[F] dated 19/07/2019 )

+1 CC to M/s.T.S.MOHAMED MOHIDHEEN, Advocate ( SR-76184[F] dated 18/07/2019 )

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MR