



WEB COPY

W.P.(MD) No.22636 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.22636 of 2015

and

M.P.(MD) No.1 of 2015

S.Sathish Kumar

... Petitioner

vs.

1.The Joint Director of Collegiate Education
Tirunelveli-3

2.The Commissioner
Hindu Religious and Charitable
Endowments Department
Chennai-600 034

3.The Secretary
Sri Devi Kumari Women's College
Kuzhithurai and the Joint Commissioner /
Executive Officer
Incorporated and unincorporated Devasam
Susindram, Kanniyakumari District

4.Sri Devi Kumari Women's College
rep.by its Principal
Kuzhithurai, Kanniyakumari District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the respondents to appoint the petitioner as Watchman in the fourth respondent college in the regular vacancy with all monetary and attendant benefits.

For Petitioner : Mr.R.Manimaran

For Respondents : Mr.M.Jeyakumar
Additional Government Pleader for R1 & R2

No appearance for R3 & R4

O R D E R

The relief sought for in the present writ petition is for a direction to the respondents to appoint the writ petitioner as Watchman in the fourth respondent / College in the regular vacancy with all monetary and attendant benefits.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The writ petitioner is already working as Watchman in the fourth respondent / College with effect from 21.01.2009, under the self-finance scheme.

3. The learned counsel for the writ petitioner states that now the regular vacancy in the post of Watchman is available in the fourth respondent / College and therefore, the writ petitioner must be appointed in the sanctioned post.

4. This Court is of the considered opinion that appointment can never be claimed as a matter of right. Appointments are to be made strictly in accordance with the recruitment rules in force. The fourth respondent / Management has to conduct a selection for appointment to the post of Watchman with reference to the statutes and the rules in force. In the event of conducting any such selection, the writ petitioner is also at liberty to participate in the process of selection, if he is otherwise eligible and qualified for regular appointment to the post of Watchman.

5. With these observations, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

To:

1.The Joint Director of Collegiate Education,
Tirunelveli-3.

2.The Commissioner,
Hindu Religious and Charitable Endowments Department,
Chennai-600 034.

+1 CC to M/s.R.MANIMARAN, Advocate (SR-79307[F] dated 02/08/2019)

+1 CC to M/s.SPL GP (SR-79467[F] dated 02/08/2019)

W.P.(MD) No.22636 of 2015 and
M.P.(MD) No.1 of 2015
01.08.2019

krk

JMN(16.08.2019) 2P : 5C