



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) .No.7156 of 2015

and

MP (MD) No.1 of 2015

B.Shinu S.Babu

... Petitioner

-Vs-

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Tirunelveli.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Nagercoil Region,
Ranithottam, Nagercoil.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider the name of the petitioner for the post of ITI (Diesel Mechanic) and appoint him in the respondents corporation, pursuant to the interview held on 16.12.2014.

For Petitioner : Mr.C.T.Perumal

For Respondents : Mr.K.Sathiyasingh

ORDER

The relief sought for in the present writ petition is for a direction to the respondents to consider the name of the petitioner for appointment to the post of ITI (Diesel Mechanic) and appoint him in the respondents/Transport corporation based on the interview held on 16.12.2014.

2.Pursuant to the notification, the writ petitioner participated in the process of selection for appointment to the post of ITI (Diesel Mechanic) and he participated in the interview. However, he was not selected. Thus, the writ petitioner is constrained to move the present writ petition.



3.Appointment can never be claimed as a matter of right. All appointments are to be made strictly in accordance with the recruitment rules in force. Undoubtedly, the writ petitioner participated in the process of interview. However, he was not selected. This being the factum, the unselected candidates cannot file a writ petition for the purpose of securing appointment. Only in the event of establishing that the selection was conducted in an illegal manner or if there is any malpractice or corrupt activities then alone, writ proceedings can be entertained and not otherwise. This being the factum, 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.

4.Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

/ True Copy /

Sub Assistant Registrar (CS-)

To

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Tirunelveli.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Nagercoil Region,
Ranithottam, Nagercoil.

+1 CC to M/s.C.T.PERUMAL, Advocate (SR-74672[F] dated 11/07/2019)
+1 CC to M/s.K.SATHIYA SINGH, Advocate (SR-74969[F] dated 12/07/2019)

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sjj/am
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