



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 10.06.2019**

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

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**W.P(MD) No. 8607 of 2013
and
M.P. (MD) Nos. 1 and 2 of 2013**

K. Ramamoorthy

... Petitioner

-Vs-

1. The Director,
Directorate of Town Panchayat,
Kuralagam, Chennai-600 108.

2. The District Collector,
O/o. District Collector,
Town Panchayat Division,
Tirunelveli Zone, Thoothukudi,
Thoothukudi District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records in e.f.vz;.1905/2011/gh2 dated 06.03.2013 on the file of the second respondent and to quash the same and consequently, to direct the second respondent to issue appointment order for this petitioner to the post of Sanitary Inspector.

For Petitioner	: Mr. R. Gangadharan
For Respondents	: Mr. K. Mu. Muthu, Additional Government Pleader.

ORDER

The order of rejection dated 06.03.2013, rejecting the claim of the writ petitioner for appointment to the post of Health Sanitary Inspector is under challenge in the present Writ Petition.

2. The writ petitioner was an Ex-service man and obtained a certificate from the National Council for Vocational Training.

3. The learned counsel appearing for the writ petitioner states that the writ petitioner is fully qualified for appointment to the post of Health Sanitary Inspector and his case was not considered, despite the fact that the petitioner participated in the process of interview and submitted all his records. The petitioner registered his name in the District Employment Exchange, Tuticorin District.

4. The learned Additional Government Pleader appearing on behalf of the respondents states that the writ petitioner participated in the process of selection and attended interview on 28.12.2011. However, the petitioner was not selected by the Committee constituted. Thus, now, after a lapse of so many years, the case of the writ petitioner cannot be considered. This apart, the writ petitioner at present aged about 51 years and he is over aged.

5. This Court is of the considered opinion that a selection or appointment can be questioned on limited grounds. If at all there is any irregularity or illegality or corrupt activities in the process of selection, then alone, the candidates participated in the process of selection can challenge the appointment. Mere participation in the interview or selection process would not confer any right on the candidate to secure appointment. All appointments ought to be made strictly in accordance with recruitment rules and equal opportunity in public employment is the Constitutional mandate. The authorities competent while undertaking of process of selection must ensure that principle of equality is followed and eligible persons are provided with opportunity to participate in the open competitive process. In the present case on hand, the writ petitioner participated in the interview and was not selected.

6. This being the factum of the case, now after a lapse of about 6 ½ years from the selection, the case of the writ petitioner cannot be considered. This apart, the writ petitioner is already aged about 51 years and thus, the question of granting appointment would not arise at all.

7. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

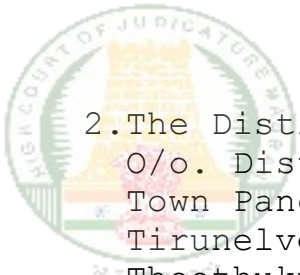
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Sub Assistant Registrar (CS)

Myr

To

1. The Director,
Directorate of Town Panchayat,
Kuralagam, Chennai-600 108.



2.The District Collector,
O/o. District Collector,
Town Panchayat Division,
Tirunelveli Zone, Thoothukudi,
Thoothukudi District.

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+ 1 CC to Mr.S.Mahesh Babu, Advocate in SR.No.67949
+ 1CC to The Special Government Pleader SR.No.67862

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