

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILU

WRIT PETITION No.7533 of 2019

ORDER:

This writ petition is disposed of at the stage of admission with the consent of both the parties.

This writ petition is filed seeking the following relief :-

“.... to issue a Writ, Order or Direction or more particularly one in the Nature of Mandamus declaring the action of the respondents in appointments of Executive posts dated 15.11.2018, 01.12.2018, 20.12.2018, 21.12.2018, 01.02.2019 and 01.03.2019 on contract basis Choose and Pick method in pursuance of the Notification No.2/ TRAC/ 2018 dated 31.08.2018 as illegal, highly discriminatory, arbitrary, unjust, unfair, unlawful, unconstitutional, irrational, mockery, perverse and contrary to the law and against the Principles of Natural Justice and against to Articles 14, 16, 19 and 21 of Constitution of India and also against to a Catena of Judgments of an Apex Court and this Hon'ble Court and consequently set aside the same and also direct the respondents to recruit the Executive posts in purview of the law laid down by the Hon'ble Supreme Court in various Judgments.....”.

Heard Mr.C.Prabhakar, learned counsel for petitioners and the learned Government Pleader for Services-I.

It has been contended by the petitioners that they are fully eligible and qualified to be appointed to the Executive posts and the respondents have issued Notification on 31.08.2018 inviting applications for various posts.

The grievance of the petitioners is that at the time of selections, the respondents have selected candidates by pick and choose method and no transparency was followed while making selections. In all, 87 candidates were appointed by the

respondents during November and December, 2018 and January and March, 2019.

Learned counsel for petitioners contended that the entire selections have been made contrary to the law and, therefore, the said selections are liable to be set aside.

This Court, having considered the rival submissions, is of the considered view that the petitioners have not impleaded the persons, who were appointed by the respondents i.e., nearly 87 persons. The petitioners are contending that appointment of 87 candidates is made contrary to law and the same is liable to be set aside. In the absence of affected candidates, this Court cannot entertain this writ petition, unless and until the petitioners implead the names of 87 appointed persons. Therefore, this Court is not inclined to entertain this writ petition and the same is liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

ABHINAND KUMAR SHAVIL, J

Date: 10-04-2019
Prv

