



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD)No.11250 of 2014

M.Ramesh Kumar

... Petitioner

Vs

The Management,
Bharat Heavy Electrical Limited,
Thiruchirappalli

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent to appoint the petitioner in the post of Welder to the filled up by the respondent as per their employment notification No.294, dated 01.04.2012.

For Petitioner : Mr.N.Rahamadullah

For Respondent : Mr.A.V.Arun

ORDER

The relief sought for in this writ petition is to direct the respondent to appoint the petitioner in the post of Welder to be filled up by the respondent as per their Employment Notification No.294, dated 01.04.2012.

2. The Employment Notification issued by the respondent reveals that applications were invited from the eligible candidates for appointment to various posts. But the petitioner filed the present writ petition merely on the ground that vacancies were notified for conducting process of selection and therefore, he should be appointed. Mere issuing an Employment Notification would not confer any right on the writ petitioner. The petitioner has to participate in the process of selection for appointment. All appointments should be made strictly in accordance with law and the recruitment Rules in force. Equal opportunity is the constitutional mandate. Thus the eligible candidates, who all are aspiring to secure public employment must be provided with an opportunity to participate in the selection process.

3. The very relief sought for in this writ petition is misconceived. The petitioner cannot seek a direction to appoint him in the post of Welder based on the employment notification. The petitioner is not entitled to be appointed in the event of participating in the process of



selection, his case will be considered by the respondent as per the merits and procedure contemplated.

4. This being the factum, the writ petitioner has not established even a semblance of legal right so as to consider the relief as such sought for in this writ petition. Accordingly, this writ petition is dismissed. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

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Sub Assistant Registrar(CS)

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Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

The Management,
Bharat Heavy Electrical Limited,
Thiruchirappalli

W.P. (MD)No.11250 of 2014
05.11.2020

SSS (CO)

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