



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD).No.6321 of 2014

M.Alavudeen

... Petitioner

-Vs-

The Management,
Bharat Heavy Electrical Limited,
Thiruchirappalli.

... Respondent

Prayer: Writ 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 Fitter to be filled up by the respondent as per their Employment Notification No.294, dated 01.04.2012.

For Petitioner : Mr.K.Gokul

ORDER

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

2.The petitioner states that, he completed SSLC and passed ITI (Fitter) in Sri Rajiv Gandhi Memorial Industrial Training Centre. The petitioner registered his name in the employment exchange. This apart, the petitioner underwent apprenticeship training in the respondent industry from 12.04.2003 to 11.04.2004 under the Apprentices Act. The claim of the petitioner is based on the apprenticeship training underwent by him in the respondent industry for appointment.

3.Mere apprenticeship training would not confer any right on the candidates to claim appointment as a matter of right. Apprenticeship training is provided under the Apprentices Act and the terms and conditions are also stipulated for such training programme, even incase the employer provides priority for such training, the appointment cannot be claimed as a matter of right. All appointments are to be made strictly in accordance with the Recruitment Rules in force. Equal opportunity in public employment is the constitutional mandate. All persons, who are all eligible



and aspiring to secure employment, must be provided with opportunity to participate in the process of selection, which is to be conducted through open competitive process. Thus, mere apprenticeship training is not the ground to seek a direction for appointment to a particular post or category. The writ petitioner is bound to participate in the process of selection, if any recruitment notification is issued. In the present case, the writ petitioner seeks a direction to appoint him in the post of Fitter, which cannot be considered. The writ petitioner has not established even a semblance of legal right to entertain the relief. Accordingly, the Writ Petition is devoid on merits and stands dismissed. No costs.

Sd/-

Assistant Registrar(CS-II)

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Sub Assistant Registrar(CS)

rmk

W.P. (MD) .No.6321 of 2014
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