



W.P.No.28463 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.07.2022

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.28463 of 2014

and

M.P.No.1 of 2014

R.Saravanan

...Petitioner

..Vs..

1.The Chairman & Appointments
Committee President,
Nellikuppam Municipality,
Nellikuppam, Cuddalore District.

2.The Commissioner,
Nellikuppam Municipality,
Nellikuppam, Cuddalore District.

3.The District Employment Officer,
Cuddalore District, Cuddalore.

4.Dilli Babu,
Junior Assistant,
Nellikuppam Municipality,
Nellikuppam, Cuddalore District.

5.R.Janaki

...Respondents

Writ Petition filed under Article 226 of the Constitution of India
praying to issue a Writ of Certiorarified Mandamus, calling for the
records of the second respondent in Na.Ka.No.701/2013/C1 dated



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30.04.2013 insofar as appointment of the fourth respondent and Na.Ka.No.632/2014/C1 dated 02.09.2014 insofar as the appointment of the fifth respondent and quash the same thereby direct the respondents 1 & 2 to appoint the petitioner in the post of Junior Assistant in Nellikuppam Municipality.

For Petitioner : Ms.S.Aishwarya
for Mr.N.Suresh

For Respondent : No appearance for R.1 to R.3
Mr.T.Nixon (for R.4 & R.5)

ORDER

The appointment order of the fifth respondent is sought to be quashed in the present Writ petition.

2. The Writ petitioner states that his name was sponsored through the District Employment Exchange for selection to the post of Junior Assistant in Nellikuppam Municipality. The petitioner participated in the process of selection, pursuant to the Advertisement issued by the Municipality in January, 2013. Six (6) vacancies were notified for different posts in Nellikuppam Municipality. According to the Notification, the vacancies notified are 1 Junior Assistant, 1 Typist, 1 Record Clerk, 1 Fitter and 2 Revenue Assistant.



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3. The grievance of the writ petitioner is that he is a differently abled person and his name was not considered for appointment to the post of Junior Assistant, despite the fact that his name was sponsored by the Employment Exchange.

4. Except the ground that the petitioner is differently abled person and his name was sponsored through the District Employment Exchange, the petitioner is unable to establish any ground to interfere with the process of selection. A process of selection can be interfered by the High Court only if mal practices or corrupt activities are established or the selection is tainted with malafides. In the absence of any one of such ground, the Courts would not be in a position to interfere with the process of selection. Mere sponsoring the name of the candidate would not confer any right to claim appointment as a matter of right, only in the event of irregularity and illegality in the process of selection, the selection is to be set aside but not otherwise.

5. In the present case, the petitioner states that his name was sponsored through Employment Exchange, he is differently abled person and he is eligible for appointment, such grounds are untenable. Even at the time of filing of the writ petition, he would be aged 40 years and now his age would be about 48 years.



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S.M.SUBRAMANIAM., J

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6. This being the factum, this Court do not find any merit for grant of relief. Accordingly, the Writ petition stands dismissed. No costs. Connected miscellaneous petition stands closed.

01.07.2022

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Index: Yes/No
Internet: Yes/No
Speaking Order

To

- 1.The Chairman & Appointments
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