



WEB COPY

W.P.No.30381 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 19.10.2022**

CORAM

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

**W.P.No.30381 of 2018**

S.Maheswari

...Petitioner

Vs.

The Chairman cum Managing Director,  
TANGEDCO,  
144, Anna Salai,  
Chennai – 600002.

...Respondent

**Prayer :** Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondent to appoint the petitioner to the post of Assessor Grade II - 2013-2014 in TANGEDCO under S.33 of the persons with Disabilities (Equal Opportunities Protection of Rights and Full Participation) Act, 1995 and also under Rule 21 (b) in Part II of the Tamil Nadu State and Subordinate Services Rules with retrospective effect from the year 2014.

For Petitioner : Mr.K.R.Sundarakantham

For Respondent : Mr.P.Subramaniam  
for TANGEDCO

**ORDER**



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The relief sought for in the present writ petition is to direct the respondent to appoint the petitioner to the post of Assessor Grade II, under the provisions of the Persons With Disabilities Act, 1995.

2. Appointment can never be claimed as an absolute right. All appointments are to be made strictly in accordance with the rules in force. Appointments are to be made under the Constitutional Scheme and by providing equal opportunity to all the persons, who all are aspiring to secure public employment through open competitive process. Mere Disability would not provide the right to seek appointment by filing a writ petition.

3. Already priority has been provided to differently-abled persons in respect of certain identified posts, considering the nature of the disability of the candidates. Thus, in the event of issuing any such recruitment notification and if any priority is provided for differently-abled persons eligible to hold the post, then alone the petitioner has to participate in the process of selection and to be selected on merits and in accordance with law. Contrarily he cannot file a writ petition seeking a direction to appoint him to



the post of Assessor Grade II and therefore, the relief sought for is absolutely misconceived and cannot be considered.

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4. Accordingly, this writ petition stands **dismissed**. No costs.

**19.10.2022**

Index : Yes  
Speaking order  
*sha*

To

The Chairman cum Managing Director,  
TANGEDCO,  
144, Anna Salai,  
Chennai – 600002.



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**S.M.SUBRAMANIAM, J.**

*sha*

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