



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2022

CORAM:

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

W.P(MD) .No.4433 of 2022

and

W.M.P(MD)No.3737 of 2022

WEB COPY

Rajaparameswari

... Petitioner

Vs.

- 1.The Principal Secretary to Government,
Animal Husbandry, Dairying and Fisheries Department,
Secretariat,
Chennai-600 009.
 - 2.The Managing Director,
Tamil Nadu Co-operative Milk Producers' Federation Ltd.,
AAVIM Illam,
Nandanam,
Chennai-600 035.
 - 3.The Commissioner,
Milk Production and Dairy Development Department,
Madhavaram Milk Colony,
Chennai-600 051.
 - 4.The General Manager,
TID 483 Theni District Co-operative Milk Produces Union Ltd.,
NRT Nagar, Allinagaram,
Theni 625 531.
- ... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the fourth respondent to consider the petitioner's representation dated 20.12.2021 for the post of Manager (Engineering) and consequently direct the respondents to make arrangement for appointment of the post of Manager(Engineering) to the petitioner.

For Petitioners : Mr.M.Sankar
For R1 & R3 : Mr.N.Satheeshkumar
Additional Government Pleader

ORDER

The relief sought for in the present writ petition is to direct the respondents to consider the representation submitted by the writ petitioner on 20.12.2021 to the Chief Secretary to Government.



2. Though the representation submitted to the Chief Secretary to Government, the learned counsel for the petitioner states that the copies are marked to the respondents. The petitioner states that he is fully qualified for appointment to the post of Manager (Engineering) in the fourth respondent, Theni District Co-operative Milk Produces Union Ltd. He participated in the process of selection and await for results. However, the fourth respondent has not published the results so far. Therefore, the petitioner submitted a representation to the Chief Secretary to Government by marking copies to other respondents.

3. This Court is of the considered opinion that mere participation in the selection would not confer any right on the candidate to file a writ petition under Article 226 of the Constitution of India. Only in the event of any irregularities, illegalities or group activities in the process of selection, the candidates are at liberty to approach the High Court and mere participation is not a ground to entertain the writ petition.

4. The fourth respondent is a Milk Produces Union registered under the provision of Tamil Nadu Co-operative Societies Act and thus, the fourth respondent is not funded by the Government and it is not a State within the meaning of Article 12 of the Constitution of India.

5. If at all any grievance is exist after publication of results, the petitioner is at liberty to approach the revisional authority for the purpose of redressing her grievances. Therefore, no writ petition is entertainable, as the petitioner has not established even a semblance of legal rights for the purpose of considering the relief.

6. Mere direction to consider the representation would not do any service to the cause of justice. The litigant will come again to the Court and it will result in multiplicity of proceedings without doing any service to the cause of justice. Therefore, even in issuance of direction to consider the representation, the litigant must establish their rights and in the absence of any right, no other direction is to be granted and therefore, the writ petition is devoid of merits and hence, the same stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar ()

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

- 1.The Principal Secretary to Government,
Animal Husbandry, Dairying and Fisheries Department,
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+1 CC to M/s.SPL GP (SR-12517[F] dated 16/03/2022)

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and

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14.03.2022

MGJ(04.04.2022) 3P 6C