



W.P.No.14949 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.07.2023

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THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.14949 of 2023

S.Maharani

.. Petitioner

Versus

- 1.The Secretary,
Govt. of Tamil Nadu,
Adi Dravidar Welfare Department,
Secretariat, Fort St.George,
Chennai – 600 009.
- 2.The Commisioner and Director,
Adi Dravidar Welfare Department,
State Head Quarters, Chepauk,
Chennai – 600 009.
- 3.The Director,
Directorate of Schedule Tribe Welfare
Department,
Chepauk, Chennai – 600 005.
- 4.The District Planning Officer,
Tiruvannamalai District.
- 5.The District Adi Dravidar Welfare Officer,
Tiruvannamalai District.



W.P.No.14949 of 2023

6. The District Planning Officer,
Schedule Tribe Welfare Department,
Tiruvannamalai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to appoint the petitioner as cook which was sponsored by the District employment exchange, Tiruvannamalai on seniority basis.

For Petitioner : Mr.K.Balakrishnan

For Respondents : Mr.S.Prabhakaran
Government Advocate

ORDER

The writ petition has been filed to direct the respondents to appoint the petitioner as cook, which was sponsored by the District Employment Exchange, Tiruvannamalai, on seniority basis.

2. The case of the writ petitioner is that she has registered her name in District Employment Exchange, Tiruvannamalai. She was at 14th place in the seniority list and she has received call letter from the District Employment Exchange vide Na.Ka.No.N3/24250/2019. Accordingly, she has attended the



W.P.No.14949 of 2023

interview on 12.02.2020 for the post of Cook (39 Vacancies) in the hostels managed by the District Backward Classes and Minorities Welfare Officer, Tiruvannamalai District. The said notification has been suddenly cancelled due to the Covid-19 pandemic. Subsequently, a new notification has been issued on 23.11.2020 and the petitioner has also applied for the same post with much hope that she will get the job. However, she has not been selected. Therefore, she has made a representation before the authorities and the same has not been considered. Hence, the petitioner filed a writ petition in W.P.No.19938 of 2020 before this Court and the same was ordered on 23.07.2021 to consider her representation on merits whereas the respondents had rejected her candidature. Hence, the present writ petition.

3. On a perusal of entire materials, this Courts finds that the writ petition has been filed for direction to appoint the petitioner to the post of Cook. It is to be noted that one cannot seek appointment as a matter of right and the appointment will be made only based on the merits and also performance in the interview. The order passed by the respondents dated 30.12.2021 in Na.Ka.No.K2/32009/2020 makes it very clear that the interview has been conducted properly and the petitioner is also one of the candidate, who have



W.P.No.14949 of 2023

attended the interview. The Selection Board has not selected the writ petitioner and she was not given any appointment whereas only 42 candidates were selected on the basis of their performance in the interview and selected by the Selection Committee.

4. It is relevant to note that the said order has been passed pursuant to the direction of this Court in W.P.No.19938 of 2020 dated 23.07.2021 to consider the representation of the petitioner dated 27.11.2020. When a representation has already been considered and a detailed order has been passed, without challenging the same, once again the petitioner cannot file the writ petition seeking a writ of Mandamus to appoint her in the post of Cook as a matter of right. Hence, the entire appointment has been made in a proper selection, which is also indicated in the order dated 30.12.2021. Hence, I do not find any merits in this writ petition and it is liable to be dismissed.

5. Accordingly, this writ petition stands dismissed. No costs.

12.07.2023

Index : Yes/No
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W.P.No.14949 of 2023

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W.P.No.14949 of 2023

N. SATHISH KUMAR, J.

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W.P.No.14949 of 2023

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