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W.P.No.27261 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.27261 of 2023

K.Devar

... Petitioner

Vs.

The Managing Director,
The Tamil Nadu State Transport Corporation (Salem) Limited,
Dharmapuri Region,
Dharmapuri District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue Writ of Mandamus, directing the respondent to consider the petitioner's representation, dated 18.07.2023 seeking for fresh appointment as per order passed by this Court in W.P.No.15342 of 2021 dated 27.07.2021.

For Petitioner : Mr.N.Ponraj

For Respondent : Mr.K.Raja

ORDER

This Writ Petition has been filed to direct the respondent to consider the representation, dated 18.07.2023 seeking for fresh appointment as per order passed by this Court in W.P.No.15342 of 2021, dated 27.07.2021.



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2.The contention of the learned counsel for the petitioner is that the petitioner was appointed as Conductor on daily wage basis on 25.01.2008 and thereafter, his appointment was cancelled *vide* order, dated 05.04.2010 on the ground that his name had not been sponsored by the concerned District Employment Exchange. Challenging the cancellation order, the petitioner filed a Writ Petition before this Court in W.P.No.15432 of 2021 and the same was dismissed on 27.07.2021 holding that it is open to the petitioner to seek fresh appointment/employment if he is qualified and the respondent may consider the issue with reference to the materials that are placed at that point of time. In pursuant to the order of this Court, the petitioner has given representation, dated 18.07.2023 to the respondent, however, the same has not been considered. Hence, seeks direction of this Court.

3.At the outset, this Court is of the view that such a blanket direction cannot be issued by this Court. The petitioner cannot seek a direction somewhere or other to get an employment. Any employment in the public service, should be made only by way of proper channel, as per the



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existing rules. Merely filing a Mandamus and getting order from this Court to consider the representation, one cannot create a cause of action.

Accordingly, this Writ Petition stands dismissed. No costs.

19.09.2023

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
Speaking Order/Non-Speaking Order

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To

The Managing Director,
The Tamil Nadu State Transport Corporation (Salem) Limited,
Dharmapuri Region,
Dharmapuri District.



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N.SATHISH KUMAR, J.
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