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W.P.No.2166 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2024

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.2166 of 2021

J.Dhashanamoorthy

... Petitioner

Vs.

1. The District Collector,
Kallakurichi District,
Kallakurichi

2. The Tahsildhar,
Tirukoilur Taluk,
Kallakurichi District.

3. The Deputy Director,
District Employment Office,
Villupuram.

... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the Respondents 1 to 3 to consider my Representation dated 16.11.2020 for employment opportunity, under the category of physically handicapped person under the category of backward class and financially weaker person.



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For Petitioner : Mr.D.Vijay for
Mr.R.Thanjan

For Respondents : Mr.P.Bala Thandayutham,
Special Government Pleader.

ORDER

The relief sought for in the present writ petition is to direct the respondents 1 to 3 to consider the representation submitted by the writ petitioner on 16.11.2020 to provide employment opportunity to him, under the Quota allotted to Differently Abled Persons.

2. The petitioner states that he registered his name in the District Employment Exchange, Villupuram, in the year 2009. A recruitment notification was issued for selection and appointment for the post of Village Assistant. The petitioner submitted his application for the said post. However, his name was not sponsored by the Employment Exchange and therefore, he was permitted to participate in the process of selection for the post of Village Assistant.



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3. Mere representation submitted, seeking employment, cannot be a ground to issue a direction to consider. In the absence of any right, such representation would have no implications. High Court cannot mechanically issue such directions to consider the representation which would do no service to the cause of justice. Such process will only result in multiplicity of litigation and ultimately the litigant may not get any remedy from the hands of the Court. Even for entertaining a writ petition, the petitioner has to establish a right or infringement of right. Equal opportunity in public employment is a constitutional mandate. Only in the event of irregularity or illegality in the process of selection, may be challenged by way of writ proceedings.

4. In the present case, the process of selection was conducted for appointment to the post of Village Assistant, by calling for the list of names from the District Employment Exchange. The Government Pleader would submit that the petitioner was not within the zone of consideration and his name was not sponsored by the District Employment Exchange. Since the petitioner was not within the zone of consideration for the purpose of sponsoring his name for selection to the post of Village



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Assistant, the relief as such sought for is not entertainable. More so, the petitioner has not established any irregularity or illegality in the manner of conducting the selection process to the post of Village Assistant.

5. Accordingly, the writ petition is dismissed. However, there shall be no order as to costs.

02.02.2024

Index : Yes
Speaking Order
Neutral Citation : Yes
(sha)

To

1. The District Collector,
Kallakurichi District,
Kallakurichi

2. The Tahsildhar,
Tirukoilur Taluk,
Kallakurichi District.

3. The Deputy Director,
District Employment Office,
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S.M.SUBRAMANIAM. J.,

(sha)

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