

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

CORAM

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE MR.JUSTICE R.SAKTHIVEL

W.A.Nos.1751, 1841, 1858, 1964, 1979, 1980, 1985, 1986, 1987, 2301,
2392, 2599 of 2023, 563 of 2024, W.P.No.34996 of 2022
and W.P.(MD) No.8089 of 2023

AND

C.M.P.Nos.15400, 16106, 16108, 16234, 16712, 16771, 16775, 16784,
16820, 16822, 16821, 16823, 16835, 19728, 19729, 20146, 20148,
21981 of 2023, 3910 of 2024, W.M.P.Nos.10851 of 2023, 34432 of
2022, W.M.P.(MD) Nos.13162 of 2024 and 7455 of 2023

W.A.No.1751 of 2023

1. Dr.K.Kumar
2. Dr.S.Gangasudan
3. Dr.A.P.Ethelbert
4. Dr.S.Mohanraj
5. Dr.V.Venkatesan
6. Dr.S.Venkadesh
7. Dr.P.Michael
8. Dr.T.Rajesh
9. Dr.C.Shanmuganathan
10. Dr.S.Porgovan
11. Dr.P.Siranjeevi

... Appellants

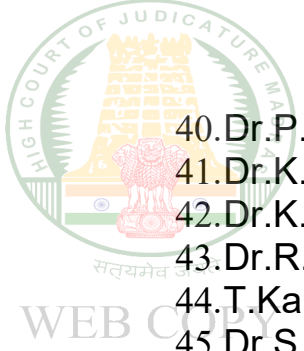
-VS-

1. The State of Tamil Nadu
Rep. by its Secretary to Government,
Personnel and Administrative Department,
Fort St.George, Chennai 600 009.
2. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Animal Husbandry, Dairying, Fisheries and
Fishermen Welfare Department, Fort
St.George, Chennai 600 009



3. The Tamil Nadu Public Service
Commission
Rep. by its Secretary, TNPSC Road,
V.O.C Nagar, Park Town,
Chennai 600 003.

4. Dr.T.Deepak
5. Dr.T.Muralidharan
6. Dr.N.Aravindraj
7. Dr.P.Nandhakumar
8. Dr.P.Thangaraj
9. Dr.R.Muthuvel
10. Dr.G.Nanthakumar
11. Dr.G.Sundarapandian
12. Dr.M.Thennavan
13. Dr.K.Boobalan
14. Dr.N.Gopalakrishnan
15. Dr.J.Anand
16. Dr.S.Madhan
17. Dr.N.Murugarajan
18. Dr.D.Suresh
19. Dr.K.Rajasekar
20. Dr.S.Vivek
21. Dr.E.Dhamodharachelvam
22. Dr.V.Anbarasan
23. Dr.R.Elavarasan
24. Dr.M.Dineshkumar
25. Dr.M.Boopathy
26. Dr.M.Nagarajan
27. Dr.P.Babu
28. Dr.T.Thirukumaran
29. Dr.S.Balaji
30. Dr.S.Rajasekar
31. Dr.K.Narayanasamy
32. Dr.R.Perumal
33. Dr.S.Babu
34. Dr.L.Ravikumar
35. Dr.G.Logeshwaran
36. Dr.S.Arun Prabhu
37. Dr.M.Kathirvel
38. Dr.L.Muralitharan
39. Dr.P.Periyasamy

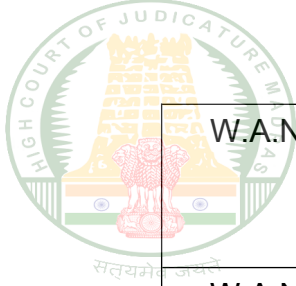


40. Dr.P.Kamalraj
41. Dr.K.Kamalahasan
42. Dr.K.Govindaraj
43. Dr.R.Raja
44. T.Kanagaraj
45. Dr.S.Senthamilselvan
46. Dr.P.Vinothkumar
47. Dr.M.Senthilkumar
48. Dr.P.Manigandan
49. Dr.E.Premkumar
50. Dr.A.Venkateshkumar
51. J.Sambandhan
52. Dr.R.Gnanavel
53. Dr.P.Mani
54. Dr.P.Mahendran

... Respondents

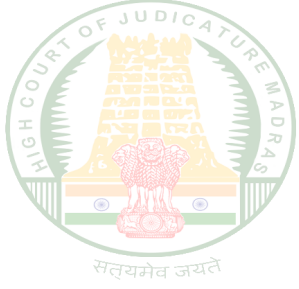
Prayer: To set aside the Common Order dated 19.04.2023 in Writ Petition No.33783 of 2022.

Case No.	For Petitioner(s)/Appellant(s)	For Respondent/s
W.A.No.1751of 2023	Mr.P.Godson Swaminath For M/s.Issac Chambers	Dr.R.Gouri, Govt. Counsel for R1 & R2 Mr.R.Bharanidharan for R3
W.A.No.1841of 2023	Mrs.Nalini Chidambaram, Senior Counsel For Ms.C.Uma	Dr.R.Gouri, Govt. Counsel for R1 & R2 Mr.R.Bharanidharan for R3
W.A.No.1858 of 2023	Mrs.Dhakshyani Reddy, Senior Counsel For Ms.S.Suneetha	Dr.R.Gouri, Govt. Counsel for R1 Mr.R.Bharanidharan for R2
W.A.No.1964 of 2023	Mrs.Nalini Chidambaram, Senior Counsel For Ms.C.Uma	Dr.R.Gouri, Govt. Counsel for R1 Mr.I.Abrar Md.Abdullah for R2
W.A.No.1979 of 2023	Mrs.Nalini Chidambaram, Senior Counsel For Ms.C.Uma	Dr.R.Gouri, Govt. Counsel for R1 & R2 Mr.R.Bharanidharan for R3



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W.A.No.1980 of 2023	Mrs.Nalini Chidambaram, Senior Counsel For Ms.C.Uma	Dr.R.Gouri, Govt. Counsel for R1 & R2 Mr.R.Bharanidharan for R3
W.A.No.1985 of 2023	Mrs.Nalini Chidambaram, Senior Counsel For Ms.C.Uma	Mr.I.Abrar Md.Abdullah
W.A.No.1986 of 2023	Mrs.Nalini Chidambaram, Senior Counsel For Ms.C.Uma	Dr.R.Gouri, Govt. Counsel for R1 & R2 Mr.R.Bharanidharan for R3 & R4 to R44 – Not necessary parties
W.A.No.1987 of 2023	Mrs.Nalini Chidambaram, Senior Counsel For Ms.C.Uma	Dr.R.Gouri, Govt. Counsel for R1 Mr.I.Abrar Md.Abdullah for R2
W.A.No.2301 of 2023	M/s.Parvatha Varthini	Dr.R.Gouri, Govt. Counsel for R1 & R2 Mr.R.Bharanidharan for R3
W.A.No.2392 of 2023	Mr.N.Stalin	Dr.R.Gouri, Govt. Counsel for R1 & R2 Mr.R.Bharanidharan for R3
W.A.No.2599 of 2023	Mrs.Thangavadhana Balakrishnan	Dr.R.Gouri, Govt. Counsel for R1 & R2 Mr.R.Bharanidharan for R3
W.A.No.563 of 2024	Mr.P.Godson Swaminath For M/s.Issac Chambers	Dr.R.Gouri, Govt. Counsel for R1 & R2 Mr.R.Bharanidharan for R3
W.P.No.34996 of 2022	Mr.N.Umapathi	Dr.R.Gouri, Govt. Counsel for R1 & R2 Mr.R.Bharanidharan for R3
W.P.(MD) No.8089 of 2023	Mr.P.Godson Swaminath For M/s.Issac Chambers	Dr.R.Gouri, Govt. Counsel for R1 to R3 Mr.R.Bharanidharan for R4



COMMON JUDGMENT

WEB COPY (Judgment of the Court was delivered by S.M.Subramaniam,J.)

The present batch of Writ Appeals have been instituted under Clause-15 of the Letters Patent, challenging the common order dated 19.04.2023 passed in a batch of Writ Petitions. Along with the batch of Writ Appeals, two other Writ Petitions in W.P.No.34996 of 2022 and W.P.(MD) No.8089 of 2023 have been filed for direction to re-arrange the provisional selection list.

2. Facts in brief required for disposal of cases are that Tamil Nadu Public Service Commission (TNPSC) issued Recruitment Notification Nos.32 of 2019 dated 18.11.2019, 4 of 2021 dated 05.02.2021, 18 of 2019 dated 29.05.2019, inviting applications from eligible candidates through online mode for Direct Recruitment to the posts of Veterinary Assistant Surgeon in Tamil Nadu Animal Husbandry Service to fill up 1141 vacancies upto 17.12.2019, Agricultural Officer (Extension) included in the Tamil Nadu Agricultural Extension Service to fill up 365 vacancies upto 04.03.2021, various other posts upto 28.06.2019.



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3. It is not in dispute between parties that the process of selection was concluded in all respects and selected candidates, who were appointed on 09.02.2022, have been working in the Animal Husbandry, Dairying, Fisheries and Fishermen Welfare Department and other Departments for about five years. Soon after completion of selection and appointment of selected candidates, a batch of Writ Petitions had been instituted, more particularly with reference to Sections 26 and 27 of The Tamil Nadu Government Servants (Conditions of Service) Act, 2016 in the matter of providing reservation for women candidates. A Division Bench of this Court elaborately considered issues, relating to selection and delivered a judgment on 07.09.2022, disposing of writ petitions.

4. Mrs.Nalini Chidambaram, learned Senior Counsel, Mr.P.Godson Swaminath, learned counsel for M/s.Issac Chambers and other learned counsel appearing on behalf of appellants would mainly rely on Paragraph Nos.43 and 44 of the said judgment, which reads as under:

“43. The exercise aforesaid would be undertaken in reference to all the selections under challenge and if any of the petitioners find place in the merit based on the said arrangement, then they would be given appointment in service to the post concerned. However, it is with a clarification that



the petitioners would be entitled to the appointment only if they fall in the merit after arranging the lists in the manner given above and not otherwise.

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44. In those cases where appointments are yet to be made, the arrangement given by us would be applied and if the respondents find it to be offending Section 26 of the Act of 2016, then the same is declared ultra vires the Constitution, because the Constitution and the judgments of the Apex Court do not provide setting apart of the posts for female candidates to be arranged vertically.”

5. The argument of learned Senior Counsel and other counsel mainly rests on the ground that spirit of the judgment has not been implemented and therefore, appellants herein filed writ petitions in the year 2022 and 2023, more specifically after delivery of judgment by Division Bench of this Court in a batch of writ petitions on 07.09.2022.

6. Admittedly, writ petitions have been instituted by present appellants after a lapse of about three years from the date of notification and 2 years from the date of appointment of selected candidates, after common order passed in a batch of writ petitions by Division Bench on 07.09.2022. Learned Single Judge considered the issues and given a finding that writ petitions were filed with delay and laches, tantamounting to acquiescence on their part. Appellants herein filed writ

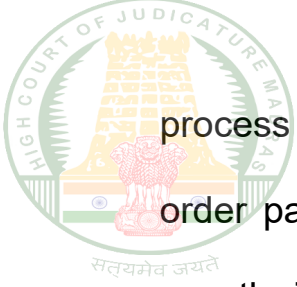


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of mandamus, seeking direction to revise the selection list, which was acted upon by issuing appointment orders. Such a relief sought for by appellants in the writ petitions after issuance of appointment orders based on the selection list *per se* is not maintainable. Learned Single Judge also considered the point of delay and laches and found that the relief as such sought for based on the judgment delivered in the batch of writ petitions is untenable.

7. This Court is of the considered view that if there is any illegality in the Recruitment Notification, an aggrieved person has to challenge the same before completion of process of selection. If the process of selection is tainted and candidates came to know it after publication of selected list, then such aggrieved persons have to approach Court immediately without causing any undue delay.

8. In the present case, appellants have allowed the process of selection to go on and after completion of selection process, appointment of selected candidates and after delivery of judgment by Division Bench of this Court, appellants filed writ of mandamus, seeking a direction to revisit the selection list. In the event of entertaining such writ petitions, it will result in opening pandora box and many other similarly placed unsuccessful candidates, who participated in the



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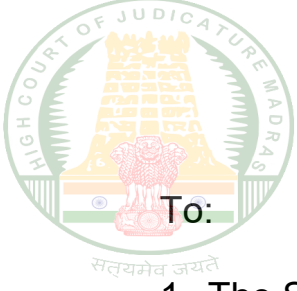
process of selection may also file further writ petitions based on the order passed subsequently after issuance of appointment orders. This exactly is the reason why Courts have time and again reiterated that fence sitters are not entitled to maintain writ petitions after completion of process of selection and in the present case, after issuance of appointment orders in the year 2021/2022. This Court is not inclined to go into other merits, since writ petitions are liable to be rejected on the ground of delay and laches and also on the ground that prayer as such sought for to re-do selection list is not maintainable after issuance of appointment orders. Other submission made on behalf of appellants that they are meritorious and entitled for appointment, deserves no further consideration. Pertinently, subsequent Recruitment Notification was also issued for the same posts.

9. For all these foregoing reasons, the present Writ Appeals are dismissed. Consequently, Writ Petitions also stand dismissed. No costs. Connected Miscellaneous Petitions are closed.

(S.M.S.,J.) (R.S.V.,J.)
24-06-2026

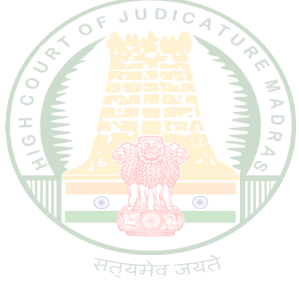
Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
AR

Note: Registry is directed to type all cause title



To:

1. The Secretary to Government,
State of Tamil Nadu
Personnel and Administrative Department,
Fort St.George, Chennai 600 009.
2. The Secretary to Government,
State of Tamil Nadu,
Animal Husbandry, Dairying, Fisheries and Fishermen Welfare
Department, Fort St.George, Chennai 600 009
3. The Secretary,
Tamil Nadu Public Service Commission
TNPSC Road, V.O.C Nagar, Park Town,
Chennai 600 003.



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S.M.SUBRAMANIAM,J.
AND
R.SAKTHIVEL,J.
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1987, 2301, 2392, 2599 of 2023, 563 of 2024,
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