

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2015

CORAM

THE HONOURABLE MR.JUSTICE D. HARIPARANTHAMAN

W.P.No.20360 of 2015

and

M.P.No.1 of 2015

G.Jayakrishnan

.. Petitioner

Vs.

1. The Tamil Nadu Public Service Commission,
Rep. by its Secretary,
No.3, Frazer Bridge Road,
V.O.C. Nagar,
Chennai-600 006.
 2. The Government of Tamil Nadu,
Rep. by its Secretary to Government,
Personnel and Administrative Reforms Department,
Fort St. George, Chennai-600 009.
- .. Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records relating to the 1st respondent in Notification No.18/2014, dated 14.10.2014 for Direct Recruitment to Group IV Services and quash the same and consequently direct the 1st respondent to operate the Reserve List and appoint the petitioner in appropriate post for the vacancies that have arisen due to non-joining/joining and leaving of selected candidates in pursuance of the Notification No.9/2013, dated 14.06.2013 issued by the 1st respondent.

For Petitioner : Mr.R.Thamaraiselvan
For Respondents : Mr.V.Jayaprakash Narayanan,
Special Government Pleader

ORDER

The petitioner applied for Group - IV services for the year 2013-2014. He wrote the examinations for the said purpose. The results were published. He is put in the reserve list.

2. Now, he has questioned the subsequent Notification dated 14.10.2014 issued by the Tamil Nadu Public Service Commission,

calling for application for the Group-IV services for the subsequent year. In fact, pursuant to the said Notification, written examinations took place on 21.12.2014.

3. Just because the petitioner is in the reserve list in the previous recruitment, he cannot seek to quash the subsequent Notification.

4. The candidates in the reserve list are entitled to get selection and consequent appointment only in the following three contingencies viz., (1) The selected candidates failed to join the post; (2) The selected candidates joined the post but left the service and the select list for the subsequent period is not yet published and (3) selection is cancelled for one reason or other. Only in those three contingencies, the candidates in the reserve list could claim selection and appointment. It is not the case of the petitioner that there are certain posts vacant due to the aforesaid contingencies, but still the petitioner is not appointed. On the other hand, the petitioner has sought to question the Notification for the subsequent year. I am not inclined to countenance the submissions made by the learned counsel for the petitioner. Hence, the Writ Petition fails and the same is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

Jrl

To

1. The Secretary,
The Tamil Nadu Public Service Commission,
No.3, Frazer Bridge Road,
V.O.C. Nagar,
Chennai-600 006.
2. The Secretary to Government,
The Government of Tamil Nadu,
Personnel and Administrative Reforms Department,
Fort St. George, Chennai-600 009.

1 cc to Mr. R.Thamaraiselvan, Advocate Sr.No.34536

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nm(co)pmk.28.7.2015