

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21..09..2015

CORAM

THE HON'BLE Mr.SANJAY KISHAN KAUL, CHIEF JUSTICE
and

THE HON'BLE Mr.JUSTICE T.S.SIVAGNANAM

W.P. No.29523 of 2015

P.Kandasamy

..Petitioner

Versus

1.The Secretary,
Personnel and Administrative Reforms (S) Department
Fort St.George, Chennai 600009.

2.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Anna Salai, Chennai 600002.

3.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Anna Salai, Chennai 600002.

..Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent in Notification No.1/2015 dated 08.02.2015 and quash the same as illegal, arbitrary and against the principles of natural justice and consequently direct the respondents to provide 5% reservation for all the posts particularly Group-B post so as to enable the petitioner to enjoy the said benefit in the matter of reservation to the post of Sub-Inspector of Police (Taluk) by reading down Rule (ab) of Rule 22 of the Tamil Nadu State and Subordinate Services Rules so as to extend the reservation of 5% for Group -B post also in favour of Ex-Servicemen in the light of law laid down by the Hon'ble Apex Court in Rathnasamy vs. State of Tamil Nadu reported in 2009(5) SCC 625.

For Petitioner :: Mr.R.Singaravelan
for Mr.S.Ambigapathi

For Respondent :: Mr.P.H.Arvinth Pandian
Additional Solicitor General
assisted by
Mr.S.T.S.Murthy
Government Pleader
and
Mr.V.Shanmughasundar
Government Advocate

O R D E R

(Judgment of Court was made by The Honourable The Chief Justice)

The petitioner had filed a writ petition which was dismissed by the learned single Judge. The petitioner claims that an appeal has been filed against that order which is still to be numbered.

2. Learned counsel for the petitioner states that the petitioner is concerned for the future and that is why he endeavoured to persuade the court to read down the rule.

3. On our query, he says that no representation in this behalf has been made.

4. In view of the aforesaid position, learned counsel for the petitioner seeks to withdraw the petition and states that he will make a representation to the respondents to examine the issue for future examinations. He may do so in accordance with law.

5. The writ petition accordingly stands dismissed a withdrawn. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

ksr

To

1.The Secretary,
Personnel and Administrative Reforms (S) Department
Fort St.George, Chennai 600009.

2.The Chairman, Tamil Nadu Uniformed Services Recruitment Board,
Anna Salai, Chennai 600002.

3.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Anna Salai, Chennai 600002.

1 cc to Mr. .S.Ambigapathi, Advocate Sr.No.51350
1 cc to Government Pleader.Sr.No.51386

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Ug(co)

pmk.1.10.2015