

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.37083 of 2015

and

M.P.No.1 of 2015

E.Sivakumar

...

Petitioner

Vs.

1.The Chairman,
Tamil Nadu Public Service Commission,
Chennai 600 003.

2.The Controller of Examination,
Tamil Nadu Public Service Commission,
Chennai 600 003.

...

Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents to permit the petitioner to appear for the Group - II oral test to be conducted by the TNPSC under SC category.

For Petitioner : Mr.S.Mahesh

For Respondents : Ms.C.N.G.Niraimathi

ORDER

By consent, the writ petition is taken up for final disposal.

2. The case of the petitioner is that he applied for Group II Examination and he was issued Hall Ticket bearing No.12406100 and he also appeared for the examination on 04.11.2012. In the result published, it was shown that the petitioner cleared the written examination. The respondents also called the petitioner for certificate verification to be held on 29.10.2013 and for the oral test to be held on 30.10.2013.

3. The petitioner would further state that on 29.10.2013, the respondents informed the petitioner that he has entered his sex as female and therefore, he will not be permitted for further selection process. Immediately, he requested the respondents to condone the error in filling up the application and sought permission to participate in the oral interview. Since it was not acceded, he sent a representation to the respondents on 30.11.2013, which is not yet considered. Hence, the present writ petition.

4. Heard the submissions of Mr.S.Mahesh, learned counsel appearing for the petitioner and Ms.C.N.G.Niraimathi, learned counsel appearing for the respondents.

5. Though the petitioner, prayed for a larger relief, this Court, in the light of the facts and circumstances, without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 30.11.2013 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken by them to the petitioner.

6. This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

cla

s/d-
Assistant Registrar(CS-VII)

True Copy

Sub-Assistant Registrar

To

1.The Chairman,
Tamil Nadu Public Service Commission,
Chennai 600 003.

2.The Controller of Examination,
Tamil Nadu Public Service Commission,
Chennai 600 003.

+ 1 cc to Mr.S.Mahesh, Advocate SR 64219

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