

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.04.2015

CORAM:

THE HON'BLE MR.JUSTICE D. HARIPARANTHAMAN

W.P.No.5385 of 2015 and M.P.Nos.1 and 2 of 2015
and W.P.Nos.13256 and 13257 of 2015
and M.P.No.1 & 1 of 2015

- 1.C.Karthikeyan
- 2.G.Balamurugan
- 3.K.Venkatesan
- 4.P.Suresh
- 5.R.Balamurugan
- 6.S.Sivakumar
- 7.S.Gopi
- 8.V.Baskar
- 9.S.Alaguraja
- 10.P.Kumaresan
- 11.V.Praveen Kumar
- 12.M.Mahimai Prabhu
- 13.M.Panner Selvam
- 14.K.Gokulakrishnan
- 15.A.Amirthalingam
- 16.V.Mohana Sundaram

.. Petitioners in W.P.No.5385 of 2015

C.Sundarrajan

.. Petitioner in W.P.No.13256 of 2015

A.Sahaya Lourdusamy

.. Petitioner in W.P.No.13257 of 2015

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 in all W.Ps.

PRAYER in W.P.No.5385 of 2015.: Petition filed under Article 226 of the Constitution of India for the issuance of writ of Certiorarified Mandamus, calling for the records of 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 writ petitioners in appropriate posts for the vacancies that have arisen due to non-joining /joining and leaving of selected candidates in pursuance of notification No.9/2013 dated 14.06.2013 issued by the 1st respondent.

PRAYER in W.P.Nos.13256 and 13257 of 2015.: Petitions filed under Article 226 of the Constitution of India for the issuance of writ of Declaration, declaring the practice of selecting candidates solely based on Counselling Process and not publishing Reserve List of Candidates for the selection conducted vide notification No.9/2013 dated 14.06.2013.

For Petitioners in all: Mr.Naveen Kumar Murthy,
the W.Ps. for M/s.K.Ramasamy

For Respondents in : Mr.M.Devendran
all the W.Ps Standing Counsel for R1
Mr.V.JayaprakashNarayanan,
Spl.Government Pleader for R2

C O M M O N O R D E R

The first respondent issued a notification No.9 of 2013 dated 14.06.2013 calling for applications from eligible candidates for the posts included in Group IV Services for the year 2013-2014 (Direct Recruitment). Subsequently, examinations were conducted and results were published in March 2014 and the selected candidates were appointed.

2. The grievance of the petitioners is that there are vacancies due to non joining of the selected candidates or leaving after joining the post by the candidates. Thus, there are still vacancies and the same was not disputed.

3. In fact, the position note submitted by the Tamil Nadu Public Service Commission has fortified the aforesaid submission made by the petitioners.

4. In the meantime, another notification No.18/2014, dated 14.10.2014 was issued by the TNPSC for further recruitment for Group IV Services for the years 2013-2014 and 2014-2015. The written examination was held on 21.12.2014. However, the selection list is yet to be published. Once the selection list is published, the candidates, who are eligible for appointment in the earlier selection, cannot be posted in the aforesaid vacancies.

5. Hence, a direction is issued to the Tamil Nadu Public Service Commission to fill up the vacancies that arose due to non joining of the selected candidates or leaving after joining the post by the candidates, as per position note, before publishing the selection list relating to the Notification No.18/2014, dated 14.10.2014, and to issue appropriate orders in favour of those selected candidates.

6. The writ petition is disposed of in the above terms. Consequently, connected Miscellaneous Petitions are closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kkd/gg

To

- 1.The Secretary,
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 the Government Pleader Sr.24826

सत्यमेव जयते

W.P.No.5385 of 2015 and
M.P.Nos.1 and 2 of 2015
and

W.P.Nos.13256 and 13257 of 2015
and M.P.No.1 & 1 of 2015

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RJ(CO)
Eu 07.05.2015