

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.05.2016

C O R A M

THE HON'BLE Mr.JUSTICE M.V.MURALIDARAN

WP.No.18443/2016

P.Senthilkumar

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Petitioner

Versus

1. The Secretary,
Tamil Nadu Public Service Commission,
Bireyar Bridge Salai,
VOC Nagar, Park Town,
Chennai - 3.

2.The Controller of Examination,
Tamil Nadu Public Service Commission,
Bireyar Bridge Salai,
VOC Nagar, Park Town,
Chennai - 3.

..

Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of mandamus directing the respondents to permit the petitioner to writ the 190 departmental account test for subordinate officer Part II, to be conducted on 25.05.2016 onwards on the basic of the petitioner's representation and application dated 20.05.2016 and pass further orders.

For petitioner

... Mr.A.E.Kalaiselvan

For Respondents

... Ms.C.N.G.Niraimathi

ORDER

Heard the learned counsel for the petitioner and Ms.C.N.G.Niraimathi, accepting notice for the respondents and with their consent, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner has filed the above writ petition seeking for a direction to the respondents to permit the petitioner to write the 190 departmental account test for subordinate officer Part II, to be conducted on 25.05.2016 onwards on the basis of the petitioner's representation and application dated 20.05.2016 and pass further orders.

3. The case of the petitioner is that the petitioner was selected and appointed as Revenue Assistant in the Vellore District on 07.03.2012 and transferred from Vellore District to Thiruvannamalai District. At present, he is working as a Revenue Inspector in Thiruvannamalai Taluk Office, Thiruvannamalai District. While so, the petitioner attended the departmental examination for accounts test for subordinate officers Part II held during December 2015 for which, results were published on 09.04.2016; but he failed in the examination. Only two days time were given to apply for another Departmental test through online and the petitioner did not apply for same on account of his deputation with regard to assembly election duties. Hence, he forwarded the application by RPAD on 25.04.2016 which has been rejected by the respondents. Hence, the petitioner is before this court by way of this writ petition.

4. In reply to the petitioner's representation, the respondent has passed an order stating that for the past four years, the TNPSC is not issuing any application and the applicants are only advised to download the application from their website and upload the same after filling the same and the last date for receipt of such application for the departmental examination for subordinate officers Part II was fixed as 11.04.2016. While so, the petitioner having failed to apply through online within the stipulated time, had forwarded his application to the second respondent through RPAD alongwith demand draft for examination fees. It is the further contention of the petitioner that, only after qualifying in the departmental examination, he would be eligible for promotion and if he is not permitted to write the said examination, he has to wait for one more year and his seniority would be affected.

5. In view of the above facts and circumstances, the second respondent is directed to consider the petitioner's representation dated 20.05.2016, on merits and in accordance with law, on or before 27.05.2016 and permit the petitioner to write the departmental examination scheduled to be held on 30.05.2016.

6. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(VO)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
Tamil Nadu Public Service Commission,
Bireyar Bridge Salai,
VOC Nagar, Park Town,
Chennai - 3.
2. The Controller of Examination,
Tamil Nadu Public Service Commission,
Bireyar Bridge Salai,
VOC Nagar, Park Town,
Chennai - 3.

+1cc to M/S.A.E.Kalaiselvan, Advocate Sr.28790

WP.No.18443/2016

sns (CO)
srg (26/05/2016)

सत्यमेव जयते

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