

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.08.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.26427 of 2012

A.Arul Prasanya

... Petitioner

Versus

1. The Secretary,
Tamilnadu Public Service Commission,
No.1, Greams Road,
Chennai - 6.

2. The Secretary of Tamil Nadu,
Rep. by Secretary to Government
Labour & Employment Department,
Fort St. George,
Chennai - 9.

[R2 impleaded as per order dated 3.4.12 in M.P.No.1/13]

3. B.Kotteeswari ... Respondents
(R3 is impleaded as per order of this
Court dated 03.08.2016 made in
W.P.M.P.No.12317 of 2016)

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus, to direct the respondents to select and appoint the petitioner as Labour Officer in pursuance of her inclusion of name in the Reserved list of candidates published for the post of Labour Officer, Tamilnadu Labour Services, 2010-11 published by the respondent dated 18.06.2012 with all consequential service and monetary benefits.

For Petitioner : Mr.M.Muthappan

For R1 and R2 : Ms.C.N.G.Niraimathi
Standing Counsel for TNPSC

For R3 : Mr.N.Subramaniyan

ORDER

The present Writ Petition has been filed by the writ petitioner seeking a direction to respondents 1 and 2 to select and appoint her as Labour Officer in pursuance of the inclusion of her name in the Reserved list of candidates published for the post of Labour Officer, Tamilnadu Labour Services, 2010-11, published by the respondent dated 18.06.2012 with all consequential service and monetary benefits.

2. According to the petitioner, she has completed Master Degree in Commerce and also acquired Diploma in Labour Laws from Annamalai University in May 2007. She applied for the post of Labour Officer in Labour Services, as per the Advertisement No.276 dated 23.04.2011. Thereafter, the petitioner attended the written examination and also attended the interview for the said Post. According to her, she secured 243.00 marks whereas the third respondent secured 244.50 marks and her name was found in the Reserve list as a first candidate in General Turn (Women) & OBC (Women) Category.

3. According to the petitioner, the third respondent was appointed as District Social Welfare Officer at Dharmapuri and therefore, she requested the respondents that she is not willing join as a Labour Officer and her registration number could not be included in the appointment list. Hence, the name of the petitioner should be included in the appointment list. Now, the grievance of the petitioner is that though the third respondent gave a letter for relinquishment, the petitioner's name should be considered for the said post, but, the same has not done. Hence, the petitioner made a representation to the respondent, but, there was no response. Therefore, the present writ petition has been filed.

4. Today, when the matter is taken up for consideration, the learned counsel appearing for Tamil Nadu Public Service Commission submits that the petitioner, who was only placed in the reserve list could not be selected inasmuch as the list has lapsed due to the finalization of the subsequent recruitment.

5. In view of the fact that the reserve list having been lapsed due to finalization of the subsequent recruitment resorted to by the Commission, the prayer sought for in the writ petition has become infructuous. Accordingly, this writ petition is dismissed as infructuous. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary,
Tamilnadu Public Service Commission,
No.1, Greams Road,
Chennai - 6.
2. The Secretary to Government of Tamil Nadu,
Labour & Employment Department,
Fort St. George,
Chennai - 9.

+1cc to Mr.G.Mutharasu, Advocate sr.44171

सत्यमेव जयते

W.P.No.26427 of 2012

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srg 10/02/2017