

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.02.2016

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P. No.4843 of 2016 and
W.M.P. No.4194 of 2016

V.Ajin

.. Petitioner

versus

1.State of Tamil Nadu,
rep. by its Secretary,
Agriculture Department,
Fort St. George,
Chennai-600 009.

2.Tamil Nadu Public Service Commission,
rep. by its Chairman,
Frazer Bridge Road,
V.O.C.Nagar,
Chennai-600 003.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents to issue appointment order to the petitioner to the post of Assistant Agricultural Officer in Tamil Nadu Agricultural Extension Subordinate Service in furtherance of the notification dated 30.01.2015 and selection of the petition published on 20.08.2015 and certificate verification conducted on 16.09.2015.

For petitioner : Mr.S.R.Raghunathan

For respondents: Mr.R.Vijayakumar,
Additional Government Pleader
for R1
Ms.C.N.G.Niraimathi for R2

ORDER

In this writ petition, prayer has been made for issuance of mandamus directing the respondents to issue appointment order to the petitioner to the post of Assistant Agricultural Officer in Tamil Nadu Agricultural Extension Subordinate Service in furtherance of the notification dated 30.01.2015 and selection of the petition published on 20.08.2015 and certificate verification conducted on 16.09.2015

2.Ms.C.N.G.Niraimathi, learned counsel appearing for the second respondent, on instructions, would submit that in view of the petitioner's involvement in a criminal case, which is pending in C.C. No.325 of 2012 on the file of the learned Judicial Magistrate, Padnabhapuram Kanyakumari, appointment order has not been issued to him and one post of Assistant Agricultural Officer is kept vacant therefor.

3.Since the petitioner has successfully passed the selection process and he has also attended certificate verification on 16.09.2015 in the office of second respondent at Chennai, I am of the view that the respondents are right in withholding the issuance of appointment order and the same has to be given only on the clearance of the criminal case pending against the petitioner. Therefore, the petitioner shall work out his remedy by approaching the Criminal Court to get the expeditious result.

4.With the above observation, this writ petition is disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Secretary,
Agriculture Department,
Government of TamilNadu
Fort St. George,
Chennai-600 009.

2.Tamil Nadu Public Service Commission,
rep. by its Chairman,
Frazer Bridge Road,
V.O.C.Nagar,
Chennai-600 003.

+1 cc to Mr.P.Elango Advocate sr.8657

W.P. No.4843 of 2016

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