

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.4.2017

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE Dr.JUSTICE S.VIMALA

C.M.P.No.14861 of 2016
and
W.A.SR No.59529 of 2016

K.Chinnamuthu ...Petitioner/Appellant

Vs.

The Secretary,
Tamil Nadu Public Service Commission,
Chennai-2. ...Respondent/Respondent

Prayer: Petition filed under Section 5 of the Limitation Act seeking to condone the delay of 2017 days in filing the writ appeal

Writ Appeal filed under clause 15 of the Letters Patent Act against the order dated 28.1.2011 passed in W.P.No.13346 of 2006 on the file of this court.

For petitioner/appellant : Party in person
For Respondent/respondent : Dr.M.Devendran

JUDGMENT

(Judgment of the court was made by HULUVADI G.RAMESH, J.)

Heard the petitioner, party in person and the learned counsel appearing for the respondent.

2. The petition is filed to condone the inordinate delay of 2017 days in filing the writ appeal.

3. According to the petitioner, he belongs to Scheduled Caste Community and he had applied for the post of Sub-Registrar/Store Keeper and though he had secured 767.71 marks in the interview, he was not selected for the said post and hence, he had filed the writ petition and challenging the order passed by the learned Single Judge, he has filed the present writ appeal with such huge delay.

4. Having gone through the counter filed by the respondent, we find that the cut off marks for the Scheduled Caste candidates is 773 and for the general category it is 861.98 and 856.83 in respect of Store Keeper in the Department of Industries and Commerce and in the Department of Employment & Training respectively. Further, it appears that there was no vacancy in the SC category and hence, the petitioner had to compete for the post only as a general candidate. Even otherwise, he has secured marks less than the qualifying marks for the SC category also and therefore, his case deserves no consideration. Moreover, the petitioner has not made out a case for condoning the delay and therefore, we do not find any scope for condoning the delay and entertaining the writ appeal. Hence, the petition seeking to condone the delay is dismissed. Consequently, the writ appeal at SR stage is rejected. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssk.

To:

The Secretary,
Tamil Nadu Public Service Commission,
Chennai-2.

+1cc to Mr.K.Chinna Muthu, Advocate, S.R.No.22035
+1cc to Mr.M.Devendran, Advocate, S.R.No.22063

C.M.P.No.14861 of 2016 and
W.A.SR No.59529 of 2016

KS(CO)
RS(11/05/2017)

WEB COPY