

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Thursday, the Thirteenth day of July Two Thousand Seventeen

PRESENT

THE HON`BLE MR JUSTICE S.M. SUBRAMANIAM

WMP No.17033 of 2017

IN WP.15755/2017

1 G.KRISHNAKUMAR,

[PETITIONER]

Vs

1 TAMIL NADU PUBLIC SERVICE

[RESPONDENTS]

COMMISSION, FRAZER BRIDGE, PARK TOWN,
CHENNAI-600 003, REP BY UNDER SECRETARY

2 THE REVENUE DIVISIONAL

OFFICER, DHARMAPURI, DHARMAPURI DISTRICT

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay of all further proceedings in Memorandum Reg. No.040150153/ PSD- RF/ Gr.IIA/ 2014-15 and 2015-16 dated 13.06.2017 on the file of the 1st respondent (in WMP No.17033 of 2017) pending disposal of the writ petition 15755/2017

Order : These petitions coming on for orders upon perusing the petitions and the affidavit filed in support thereof and upon hearing the arguments of M/S. PRABHAKARAM ADVOCATE FOR M/S.S.DORAISAMY, Advocate for the petitioner and of M/S M. LOGANATHAN ADVOCATE FOR M/S S. GUNASEKARAN GOVERNMEENT ADVOCATE for R2 of the Respondents the court made the following order:-

An interim order reserving 'one post vacant' will not serve the purpose of crystallising the legal rights of the petitioner. In the event of succeeding in this writ petition, the relief in complete shape will be extended to this writ petitioner. Further, the right of the writ petitioner is protected, subject to the final orders to be passed in this writ petition. Hence, keeping one post vacant certainly cause inconvenience to both the administration and to the public in general. Further, no purpose will be served in the event of keeping one post vacant, since neither this will be useful to the writ petitioner nor to the public or administration in general.

2. The learned counsel appearing for both the petitioners as well as the respondents are unable to explain before the Court, as to which post, has to be kept vacant. Therefore, this Court is of the firm view that the interim order granted need not be continued and in the event of the writ petitioner succeeding in the writ petition, his right will be preserved.

Accordingly, both the Miscellaneous petitions are dismissed.

-sd/-
13/07/2017
/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 TAMIL NADU PUBLIC SERVICE
COMMISSION, FRAZER BRIDGE, PARK TOWN,
CHENNAI-600 003, REP BY UNDER SECRETARY

2 THE REVENUE DIVISIONAL
OFFICER, DHARMAPURI, DHARMAPURI DISTRICT

C.C. to M/S.S.DORAISAMY Advocate SR.No.9198

The Government Advocate, High Court, Madras - 104.

Order

in
WMP.17033/2017

in
WP.15755/2017

Date :13/07/2017

From 26.2.2001 the Registry is issuing certified
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