

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :31.10.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.34838 of 2013

and

M.P.No.1 of 2013

Dr.D.Selvakumaran ..Petitioner

vs

1.The Secretary,
Tamil Nadu Public Service
Commission, Frazer Bridge Road,
V.O.C.Nagar, Park Town,
Chennai - 600 003. .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relating to impugned Notification No.5A/2013 dated 17.04.2013 issued by the Respondent and quash the same, and direct the Respondent to conduct the examination for recruitment to the posts of Veterinary Assistant Surgeon and Research Assistant included in the Tamil Nadu Animal Husbandry Service immediately.

For Petitioner : Mr.S.Namasivayam

For Respondents: Dr.M.Devendran

O R D E R

The order impugned in this writ petition is a Notification issued by the respondent on 17.04.2013 which reads as under:

"It is hereby informed that the Main Written Examination for Direct Recruitment to the posts of Veterinary Assistant Surgeon and Research Assistant included in the Tamil Nadu Animal Husbandry Service for the years 2012-2013, announced in Notification No.05/2013 dated 08.03.2013, scheduled to be held on 28.04.2013 FN & AN, has been postponed until further orders."

2.On a perusal of the impugned Notification, this Court is of the opinion that the written examination for Direct Recruitment to the posts of Veterinary Assistant Surgeon and

Research Assistant included in the Tamil Nadu Animal Husbandry Service for the years 2012-2013, announced in Notification No.05/2013 dated 08.03.2013, scheduled to be held on 28.04.2013 has been postponed until further orders.

3.At the outset, the examinations scheduled to be held on 28.04.2013 has been postponed until further orders. The conduct of the process of selection is prerogative of the recruiting agency. The candidates who have submitted the applications have no right to question the dates announced for conducting the main written examination. The dates and the events published by the recruiting authorities are binding on the candidates and only in the event of establishing that such a publication is in violation of any statutory rules or based on some extraneous conditions, no writ can be filed against the postponement of written examinations. A mere submission of an application to participate in the recruitment process will not confer any right on the candidates to question the postponement of the written examinations by the recruiting agency. Thus, this Court is of the opinion that the writ petitioner has not established any legal right so as to interfere with the postponement of the written examinations announced by the respondents. Thus, the writ petitioner is not entitled for any relief as he has not established any semblance of right so as to interfere with the decision taken by the respondent in respect of the postponement of the written examinations to some other date.

4.Thus, no further adjudication needs to be undertaken on the grounds raised in this writ petition. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar (CS-IV)

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Sub Assistant Registrar

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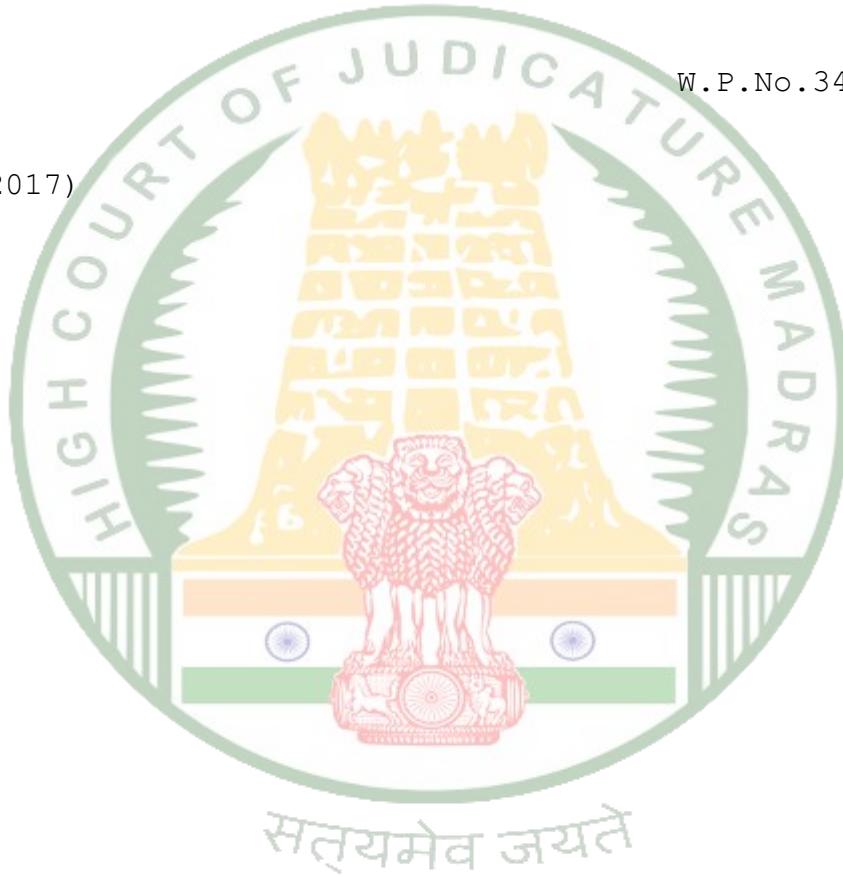
To
1.The Secretary,
Tamil Nadu Public Service
Commission, Frazer Bridge Road,
V.O.C.Nagar, Park Town,
Chennai - 600 003.

+1cc to Dr.M.Devendran Advocate, S.R.No. 77120

+1cc to Mr.S.Namasivayam Advocate, S.R.No. 77855

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TR(27/11/2017)



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