



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.02.2017

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

WEB COPY

W.P. (MD) No.3109 of 2017

and

WMP (MD) No.2478 of 2017

M.Selvi

... Petitioner

Vs.

Tamil Nadu Public Service Commission,
Rep.by its Secretary,
Frazer Bridge Road,
V.O.C.Nagar, Park Town,
Chennai - 600 003.

... Respondent

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to permit the petitioner to take part in the III Phase Counselling scheduled to be conducted on 23.02.2017 by the respondent for the post of Typist included in TNPSC Group IV Service for the year 2013-14 and 2014-15, based on the petitioner's representation dated 13.02.2017 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu

For Respondent : Mr.D.Sivaraman

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Mandamus, directing the respondent to permit the petitioner to take part in the III Phase Counselling, scheduled to be conducted on 23.02.2017, by the respondent, for the post of Typist included in TNPSC Group IV Service, for the year 2013-14 and 2014-15, based on the petitioner's representation dated 13.02.2017.

2. The case of the petitioner is that she, being an eligible candidate, must be permitted to take part in the III phase counselling scheduled to be held on 23.02.2017, for the post of Typist in TNPSC Group IV Service for the year 2013-14 and 2014-15 and for that, the petitioner has made a representation on 13.02.2017.

3. Mr.D.Sivaraman, the learned counsel appearing for the respondent would contend that the petitioner is right in stating that the III phase of counselling is scheduled to be held today, for the post of Typist included in TNPSC Group IV Service, for the



year 2013-14 and 2014-15. The respondent conducted the first phase of counselling between 04.12.2015 and 12.12.2015 for 2000 candidates based on the ranking obtained by them and on account of the rough whether, the counselling was re-scheduled from 16.12.2015 to 28.12.2015. The petitioner belongs to B.C., Woman - PSTM category. After the counselling, vacancies in B.C.Woman - PSTM category got filled on 22.12.2015 itself. As the petitioner's turn could not come and that the vacancies have been filled up, petitioner was intimated on 26.12.2015 by way of SMS and in order to select the candidates against the vacancies that remained unfilled due to non-joining of already allotted candidates, third phase of counselling has been postponed to be held on 23.02.2016.

4. According to the respondent, for the 2000 vacancies, the ratio of 1:2 candidates have been called in a phased manner and depending upon the performance in the counselling, the candidates have been selected. Since the petitioner is B.C (Woman) (PSTM), that the category in which the petitioner belongs has already been filled up; that the petitioner had already been intimated through SMS; that the petitioner's rank is 1956 and that the last candidate who was called for counselling was ranked 1802, the petitioner could not be called for the counselling. It is further submitted that on verification it was found that three vacancies arose due to non-joining of selected candidates in the category in which the petitioner belongs, eligible candidates have been called for to fill up those three vacancies and that there are 72 candidates above the petitioner and hence, the petitioner could not be called for the interview. It is also further stated that already results of the next recruitment for the year 2015-16 have been published and posts have been filled up and that there cannot be any counselling with regard to the recruitment for the year 2013-14 and therefore, the petitioner is not within the zone of consideration.

5. I find that there is no infirmity on the part of the respondent in not calling the petitioner for counselling scheduled today for the post of Typist included in TNPSC Group IV Service, for the year 2013-14 and 2014-15. Hence, the Writ petition is liable to be dismissed.

6. In the result, the Writ Petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-III)

/True Copy/



To

Tamil Nadu Public Service Commission,
Rep.by its Secretary,
Frazer Bridge Road,
V.O.C.Nagar, Park Town,
Chennai - 600 003.

+1cc to Mr.D.Sivaraman, Advocate Sr.No.10269

mpk

vb/kkr/sar2/14.06.2017/3p/3c

W.P. (MD) No.3109 of 2017
23.02.2017