



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.07.2018

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

REV.APLW(MD).No.27 of 2018

and

W.M.P. (MD).No.12672 of 2018

in

W.P. (MD).No.2689 of 2018

The Joint Registrar cum Chairman
District Recruitment Bureau,
Office of the Kanyakumari District,
Cooperative Societies,
Joint Registrar's Office,
Collectorate Building, 2nd Floor,
Nagercoil, Kanyakumari District.

.. Petitioner/Respondent

Vs.

F.Anusha

.. Respondent/Petitioner

PRAYER : Petition filed under section 114 read with Order 47 Rule 1 of C.P.C. to review the order dated 19.02.2018 passed in W.P.(MD). No.2689 of 2018 and to set aside the same.

Prayer in WP(MD). 2689/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus to direct the respondent herein to conduct an interview to the petitioner me on the basis of her application dated 11/12/2017 vide application No.06077 for the post of Salesman in connection with the Kanyakumari District Ration Shop Recruitment notification 2017 dated 25/11/2017.

For petitioner

: Mrs.S.Srimathy

Special Government Pleader

For Respondent

: Mr.P.Mahendran

ORDER

This Court by order dated 19.02.2018 allowed the Writ Petition by directing the authorities to call upon the petitioner for interview for the post of Salesman. Aggrieved by the said order dated 19.02.2018, this Review Petition has been filed by the authority.



2. The learned Special Government Pleader pointed that even though the petitioner had submitted an application for the said post, she omitted to affix her signature in the Application form. If the Application form is bereft of signature, then, it is obviously incomplete and it is liable to be rejected. That is why, the petitioner was not rightly called for interview. The learned Special Government Pleader further submitted that this aspect of the matter was not brought to the notice of this Court which resulted in the Writ Petition getting allowed. Now that the material has been subsequently discovered, this Review Petition has been filed by the Authority.

3. This Court in full agreement with the learned Special Government Pleader. The original form was shown to the writ petitioner's counsel himself. He fairly admitted that the Application form is bereft of signature. Therefore, this Court has no hesitation in allowing this Review Petition and dismissing the Writ Petition filed by the petitioner.

4. The matter however cannot end there. It is seen that the petitioner's father is a paralytic stroke patient for the last ten years. The petitioner's mother is a domestic worker. He therefore called upon this Court to condone the omission on the part of the petitioner and issue a direction not as a matter of right, but as a matter of grace. Therefore taking a sympathetic view, since the selection process is yet to attain finality, even though, the list has been prepared, this Court directs that the Review Petitioner to hold special interview for the petitioner purely as a matter of grace and concession. It is needless to mention that the selection list earlier prepared shall be subject to the outcome of the said interview.

5. With this direction, the Review Petition stands allowed and disposed of. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar(CS-II)

To

The Joint Registrar cum Chairman
District Recruitment Bureau,
Office of the Kanyakumari District,
Cooperative Societies,
Joint Registrar's Office,
Collectorate Building, 2nd Floor,
Nagercoil, Kanyakumari District.



+1cc to Special Government Pleader, SR.No. 73256
+1cc to M/S.S.M.S.Johnny Basha, Advocate SR.No. 73267
+1cc to M/S.P.Mahendran, Advocate SR.No. 73306

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ORDER MADE IN

REV.APLW(MD) .No.27 of 2018
in
W.P. (MD) .No.2689 of 2018

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JM/SKN RSK/SAR 2/01.08.2018/3P/5C