



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.11.2018

CORAM:

THE HONOURABLE DR.JUSTICE G.JAYACHANDRAN

W.P. (MD) No.22896 of 2018

and

W.M.P. (MD) Nos.20782 & 20783 of 2018

K.Muralidharan

...Petitioner

Vs.

The Secretary,  
TamilNadu Public Service Commission,  
Chennai

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified mandamus calling for the records pertaining to the impugned selection list dated 09.11.2018 published by the respondent for the post of Tourist Officer and quash the same and consequently appoint the petitioner in the post of Tourist Officer.

For Petitioner : Mr.B.Jameel Arasu

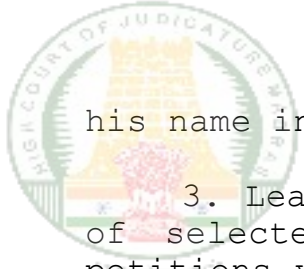
For Respondent : Mr.K.K.Senthil,  
Standing Counsel

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#### O R D E R

This writ petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned selection list dated 09.11.2018 published by the respondent for the post of Tourist Officer and quash the same and consequently, appoint the petitioner in the post of Tourist Officer.

2. The case of the writ petitioner is that the petitioner herein participated in the selection process through Direct Recruitment for the post of Tourist Officer pursuant to the notification of Tamil Nadu Public Service Commission dated 09.05.2017. The notification was to fill up five vacancies in various communal rotation and the writ petitioner herein, belongs to Most Backward Community(MBC)/DC(G). According to the writ petitioner, he cleared the examination and was called for oral interview. However, his name was not found in the selection list. Further, the petitioner would submit that he was the only candidate called for interview from the MBC quota. Therefore, by default, he is entitled for the post, whereas, the respondent has not included



his name in the final list of selected candidates.

3. Learned counsel or the respondent would submit that the list of selected candidates is subject to the outcome of the writ petitions viz., W.P.(MD)Nos.28251, 28045 and 25472 of 2018 pending before this Court, wherein, this Court has directed to keep one post vacant. The writ petitioner in W.P.(MD)No.28251 of 2018 belongs to MBC and since this Court has passed an interim order to keep one post vacant, the respondent herein is unable to decide the candidate under MBC quota.

4. Considering the above factual scenario and impediment caused to the respondent in view of the interim order passed by this Court, it is suffice to dispose of the writ petition with a direction to the respondent that once the legal impediment is cleared to fill up the post under MBC quota, the candidature of the writ petitioner shall also be taken into consideration and the most meritorious one must be appointed.

5. With these directions, the Writ Petition is disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/

Assistant Registrar(AD-II)

/True copy/

Sub Assistant Registrar(CS-I)

To

The Secretary,  
TamilNadu Public Service Commission,  
Chennai

+1cc to Mr.B.JAMEEL ARASU, Advocate, SR.No. 95711  
+1cc to Mr.K.K.SENTHIL, Advocate, SR.No. 95877

Order in  
W.P. (MD) No.22896 of 2018

STS  
KK/RSK/SAR-1/07.12.2018/2P-4C