

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2019

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.831 of 2019

B.Ganesh

... Petitioner

Vs

1. The Secretary, Tamil Nadu Public Service
Commission, TNPSC Road, Chennai-1.

2. The Principal Secretary to Government
Revenue Department, Fort St.George
Chennai-9.

..... Respondents

Prayer :

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus Directing the respondents to appoint the petitioner in vacancies caused by the candidate who did not report for duty for the post of Deputy Collector for the recruitment conducted for the year 2014-2015 in the light of the representation made by the petitioner dated 06.03.2018 within the stipulated time as deem fit by this Honorable Court and grant him all consequential service and monetary benefits.

For Petitioner : Mr.K.Venkataramani
for M/s.Muthappan

For Respondent : Mr.C.N.G.Niraimathi,
Standing Counsel for R1
Mr.A.N.Thambidurai,
Special Government Pleader
-for R2

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O R D E R

The petitioner was selected for appointment to the post of Group I services to the post of Deputy Superintendent of Police by direct recruitment for the year 2014-15. The petitioner has made a representation dated 06.03.2018 to the TNPSC to select and appoint him as Deputy Collector, in the vacancy caused by the relinquishment of post by one Sathish Kumar. However, no

orders have been passed on the same. In the meantime, the petitioner has joined the training at Police Academy on 01.05.2018 conducted for the post of Deputy Superintendent of Police Category-I. The petitioner sent another reminder to the respondents on 25.06.2018, to which the petitioner received a reply from the respondents on 13.07.2018 stating that his representation is under consideration. Thereafter, the respondents advertised for filling up the post of combined Group I Services for the year 2016-17. It is the grievance of the petitioner that once the results of this examination are published and counselling is conducted, the previous reserve list prepared for the year 2014-15, in which the petitioner was selected will lapse and his candidature at waiting list No.1 eligible for appointment to the post of Deputy Collector will be lost. Hence, the petitioner has filed the present writ petition for appropriate relief.

2. Mrs.C.N.G.Niraimathi, learned Standing Counsel takes notice for the first respondent and Mr.A.N.Thambidurai, learned Special Government Pleader takes notice for the second respondent. Heard the learned counsel on either side and perused the materials placed on record.

3. In view of the limited relief sought for during arguments, this Court is of the view that it is not necessary to dwell into the merits of the issue, but it would suffice to direct the respondents to consider the representation of the petitioner and pass orders on the same within a particular time frame.

4. In the above circumstances, this writ petition is disposed of directing the first respondent to consider the representation of the petitioner dated 06.03.2018 and pass orders thereon, in accordance with law, within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

kst

To

1. The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, Chennai-1.

2. The Principal Secretary to Government,
Revenue Department, Fort St.George
Chennai-9.

+1cc to M/s.M.Muthappan, Advocate, S.R.No.3465
+1cc to the Government Pleader, S.R.No.3269

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CS/28/01/2019



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