

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No. 1729 of 2019
and
W.M.P.No. 1931 of 2019

M.Sivasankari

.. Petitioner

Vs.

1. The Secretary
Tamil Nadu Public Service Commission
Chennai - 600 003.

2. The Director
Tamil Nadu Agricultural Extension Service
Chennai

... Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari Mandamus, calling for the records pertaining to the Notice No. 1767/OTD-E1/2012 dated 05.12.2018 passed by the 1st respondent and quash the same and further direct the first respondent to offer appointment to the petitioner as Agricultural Officer (Extension), within a time frame as fixed by this Court.

For Petitioner : M/s.N.Fidella

For Respondent : M/s.C.N.G.Niraimathi
for R1

O R D E R

The order impugned dated 05.12.2018 with holding the selection of the writ petitioner for recruitment to the post of Agricultural Officer (Extension) is under challenge in the present writ petition.

2. The writ petitioner participated in the process of selection for appointment to the post of Agricultural Officer (Extension) and was successful in the written examination. The petitioner appeared for the interview as per the proceedings dated 30.01.2013. However, the name of the writ petitioner was deferred in the selection list by stating that results are withheld. However, as no reason was assigned by the TNPSC for withholding, the writ petitioner approached the concerned

authorities who in turn passed an order on 05.12.2018 stating that the writ petitioner applied under the Schedule Tribe Community and in respect of tribe certificates produced by the candidates, the same is to be ascertained by the State Level Scrutiny Committee appointed for the purpose of ascertaining the genuinity of the Schedule Tribe certificates issued by the authorities, and hence, the case of the writ petitioner cannot be considered. Admittedly, the report is yet to be received from the State Level Committee.

3. Under these circumstances, the respondents are directed to consider the case of the writ petitioner, on receipt of the final report from the State Level Certificate, regarding the genuinity or other wise of the Schedule Tribe Certificates submitted by the writ petitioner before the selection Committee.

4. With these directions the present writ petition stands disposed of. However, the appointments shall be provided, if the writ petitioner is otherwise eligible and qualified in accordance with the terms and conditions of the notifications as well as the rules in force. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-IV)

//True copy//

Sub Assistant Registrar

Kmm

To

1. The Secretary
Tamil Nadu Public Service Commission
Chennai - 600 003.

2. The Director
Tamil Nadu Agricultural Extension Service
Chennai

+1cc to Mr.N.Fidelia, Advocate SR.No.23658

W.P.No.1729 of 2019

SPD (CO)
GMY (29/05/2019)