

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.04.2019

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.13313 of 2019

and

W.M.P.Nos.13419 & 13422 of 2019

M.Kishore Kumar

..Petitioner

vs

1.State of Tamil Nadu,
Secretary to Government,
Secretariat,
Fort St.George,
Chennai - 600 009

2.The Chairman,
Tamil Nadu Public Service Commission,
Frazers Bridge Road,
Chennai - 600 001

3.The Secretary,
Tamil Nadu Public Service Commission,
Frazers Bridge Road,
Chennai - 600 001

4.The Joint Secretary,
Tamil Nadu Public Service Commission,
Frazers Bridge Road,
Chennai - 600 001

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, call for the records on the file of the 2nd Respondent in connection with the Annual Recruitment Planner published by them for the year 2019 w.r.t Group II examination notification and quash the same and consequently direct the respondents to modify the dates of the said examination or, in the alternative, to include in the Combined Civil Services Examination - II (Interview Posts) (Group-II Services) notification, the clause, that "candidates who are in their final year of their respective degree course are eligible for appearing for the examination".

For Petitioner : Mr.V.Jai Bharath

For Respondents : Mr.R.S.Selvam
Government Advocate for R1

O R D E R

The relief sought for in the present writ petition is to quash the Annual Recruitment Planner published by the Tamil Nadu Public Service Commission(TNPSC) for the year 2019 and to direct the respondents to modify the dates of the said examination or, in the alternative, to include in the Combined Civil Services Examination - II(Interview Posts) (Group-II Services) notification, the clause, that "candidates who are in their final year of their respective degree course are eligible for appearing for the examination".

2.The writ petitioner is a person, who is aspiring to secure public employment. The Tamil Nadu Public Service Commission (TNPSC) published the Annual Recruitment Planner 2019. The petitioner states that the month of May fixed for Group-II Examinations are causing denial of opportunity to the writ petitioner to participate in the examination. The results for the Degree examinations would be published in the Month of May. Such claims cannot be considered at all. If at all, the writ petitioner has completed his degree course and eligible to participate in the competitive examinations, then alone, he is eligible and not otherwise. If at all the examinations are postponed to some other month, the writ petitioner would be eligible, is only a hypothetical one and such claims of the candidates can never be entertained by the Courts. Fixing of dates for conduct of Recruitments are the administrative prerogative of the authorities concerned. Publication of Annual Recruitment Planner is the programme of the Tamil Nadu Public Service Commission and the candidates, who are aspiring to secure public employment, cannot have any right over such planning of the Tamil Nadu Public Service Commission. In the event of issuing any Recruitment Notification, then alone, the candidates are eligible to participate in the process of selection. The date of examination, Method of Examination, Educational qualifications and other criteria are the administrative prerogative of the Administrative concerned and such Annual Recruitment Planner cannot provide any cause of action for the writ petitioner to challenge the same. Thus, the writ petitioner has not even established even a semblance of legal right, so as to consider the relief as such sought for in the present writ petition.

3.With these observations, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Secretary to Government,
Secretariat,
Fort St.George,
Chennai - 600 009
- 2.The Chairman,
Tamil Nadu Public Service Commission,
Frazers Bridge Road,
Chennai - 600 001
- 3.The Secretary,
Tamil Nadu Public Service Commission,
Frazers Bridge Road,
Chennai - 600 001
- 4.The Joint Secretary,
Tamil Nadu Public Service Commission,
Frazers Bridge Road,
Chennai - 600 001

+1 cc to The Government Pleader, Sr.No. 43234

सत्यमेव जयते

W.P.No.13313 of 2019

CSL/25.06.2019

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