

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2019

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.15811 of 2019

S.Arul Mary

... Petitioner

Vs.

1. The Chairman,
Tamil Nadu Public Service Commission,
Chennai.
2. The Director,
Directorate of Horticulture and Plantation,
Ezhilagam, Chepauk,
Chennai 600 006.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to declare the result of the petitioner for the post of Horticulture Officer for the year 2013-14 (Reg.No.001021268) and appoint the petitioner as Horticulture Officer if she is otherwise qualified, together with all consequential service and monetary benefits, within a time frame.

For Petitioner : Mr.G.Bala

For Respondents: Mrs.C.N.G.Niraimathi for R1
Standing Counsel for TNPSC
Mr.R.S.Selvam for R2
Government Advocate

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus directing the respondents herein to declare the result of the petitioner for the post of Horticulture Officer for the year 2013 - 14 (Reg.No.001021268) and to appoint the petitioner as Horticulture Officer if she is otherwise qualified, together with all consequential service and monetary benefits, within a time frame.

2.Heard the learned counsel appearing for the petitioner, the learned Standing Counsel appearing for the first respondent and the learned Government Advocate appearing for the second respondent.

3.The case of the petitioner is that the petitioner belong to Backward Class Community and she applied to the post of Horticultural Officer (Direct Recruitment). The petitioner attended the written examination conducted on 16.03.2014 and also secured the requisite marks in the written examination. However, she was not allowed to attend the interview since she had not paid a sum of Rs.50/- along with the application. Therefore the petitioner filed W.P.No.15011 of 2015 challenging the rejection and for a direction to allow the petitioner to attend the interview and this Court vide order dated 21.05.2015 directed the first respondent to permit the petitioner to attend the interview on payment of fees. Accordingly, the petitioner attended the interview.

4.It is the further case of the petitioner that on 14.09.2015, the first respondent had published the Provisional select list and also reserve list for appointment to the post of Horticultural Officer for the year 2013-14. The first respondent had also published the details of final marks obtained by the candidates after the written and oral test, however, the petitioner's result alone was withheld on account of the pendency of the writ petition in W.P.No.15011 of 2015. Hence, the petitioner has come forward with this writ petition.

5.The learned counsel appearing for the petitioner would submit that during the pendency of this writ petition, the writ petition in W.P.No.15011 of 2015 was disposed of by this Court on 19.06.2019 and hence, there is no legal impediment to the respondents to publish the result of the petitioner.

6.The learned Standing Counsel appearing for the first respondent would submit that since the earlier writ petition in W.P.No.15011 of 2015 was disposed of by this Court, there is no legal impediment for the respondent to publish the result of the petitioner. Hence, this Court may pass appropriate orders.

7.The petitioner attended the written examination conducted on 16.03.2014 for recruitment to the post of Horticultural Officer and secured the requisite marks in the written examination. However, she was not allowed to attend the interview since she had not paid a sum of Rs.50/- along with the application. Therefore the petitioner filed W.P.No.15011 of 2015 challenging the rejection and for a direction to allow the petitioner to attend the interview and by way of interim order

dated 21.05.2015, this Court directed the first respondent to permit the petitioner to attend the interview on payment of fees. Accordingly, the petitioner was permitted to attend the interview. Thereafter, on 14.09.2015, the first respondent had published the Provisional select list and also reserve list for appointment to the post of Horticultural Officer for the year 2013-14 and had also published the details of final marks obtained by the candidates after the written and oral test, however, the petitioner's result alone was withheld on account of the pendency of the writ petition in W.P.No.15011 of 2015.

8. During the pendency of this writ petition, the writ petition in W.P.No.15011 of 2015 was disposed of by this Court by order dated 19.06.2019 and hence, there is no legal impediment to the respondents to publish the result of the petitioner. Hence, this Court directs the respondents to publish the result of the petitioner and also to implement order passed by this Court in W.P.No.15011 of 2015 on 19.06.2019, within a period of three weeks from the date of receipt of a copy of this order.

9. The writ petition is accordingly disposed of. No costs.

s/d-
Assistant Registrar (CO)

True Copy

Sub-Assistant Registrar

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To

1. The Chairman,
Tamil Nadu Public Service Commission,
Chennai.

2. The Director,
Directorate of Horticulture and Plantation,
Ezhilagam, Chepauk,
Chennai 600 006.

+1 CC to M/s.G. Bala & Daisy, Advocate sr 85982.
+1 CC to The Govt. Pleader sr 86104.

W.P.No.15811 of 2019

NRL (CO)
SP(13/11/2019)