

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Date:21.08.2019

CORAM

THE HON'BLE MR. JUSTICE V.PARTHIBAN

W.P.No.24310 of 2019

K.Sasikala

...Petitioner

Vs.

The Secretary,  
Tamilnadu Public Service Commission,  
TNPSC Road,  
VOC Nagar,  
Park Town,  
Chennai - 600 003.

...Respondent

Prayer: Petition filed under Article 226 of Constitution of India, for issuance of Writ of Mandamus directing the respondent to appoint the petitioner in the post of combined Subordinate Services I 2009-2011 for which he was already selected.

For Petitioner : Mr.V.Ashokkumar

For Respondent : M/s.C.N.g.Niraimathi  
Standing Counsel

ORDER

The petitioner has approached this Court seeking the following relief:

"To issue a Writ of Mandamus directing the respondent to appoint the petitioner in the post of combined Subordinate Services I 2009-2011 for which she was already selected."

2.According to the petitioner, she responded to the notification issued by the Tamil Nadu Public Service Commission, the respondent herein, referring combined Subordinate Services Examination I 2009-2011. She appears to have received a call letter and attended the counselling on 07.01.2013 at 8.30 a.m. at the office of the Tamil Nadu Public Service Commission. However, she could not attend the counselling at the appointed time due to delay in communication of counselling call letter sent by the respondent. Subsequently, it appears that she approached the office of the respondent on 09.01.2013 and

explained her inability to attend the counselling on the appointed day.

3. Thereafter, it appears that she appeared on 23.01.2013 and submitted her original certificates for verification. According to the petitioner, after the certificate verification, nothing was heard from the Commission. In this regard, the petitioner has averred that she has approached the respondent several times, but has been receiving evasive replies from the Commission. The petitioner appears to have sent a last representation on 10.01.2019 and since there was no response, the petitioner is before this Court.

4. From the above narrative, it is very clear that the petitioner has originally responded to the notification for combined Subordinate Services Examination I 2009-2011 and participated in the selection in 2013. The affidavit does not spell out as to how the selection was conducted and how the petitioner was allowed to participate in the counselling and what was her ranking in the selection etc. The entire affidavit is bereft of any relevant details, but the petitioner has simply come up with a prayer for issue of writ of mandamus directing the respondent to appoint her in the post of Combined Subordinate Services.

5. In the affidavit filed in support of the writ petition, the petitioner has presumed that she was selected in the selection for the appointment and therefore, on this, the Court to give a direction. This Court is unable to comprehend as to how, on the basis of bald and self-serving averments, such a direction could be issued by this Court. There has been no explanation in the affidavit as to why the petitioner has approached this Court leisurely and casually after a period of six years from the date of her participation in the selection. Nothing has been expressed in the affidavit as to what happened in the interregnum between 2013-2019. It appears that the entire litigation is speculative and in the absence of any details, the same cannot be entertained even for a second.

6. For the above said reason, this Court finds that the Writ Petition is without any merits as it framed and therefore, the same is dismissed. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Sgl

To

The Secretary,  
Tamilnadu Public Service Commission,  
TNPSC Road,  
VOC Nagar,  
Park Town,  
Chennai - 600 003.

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