

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :09.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.26833 of 2019

T.Balaji

..Petitioner

Vs.

Tamil Nadu Public Service Commission,
Rep.by its Secretary,
Frazer Bridge Road, VOC Nagar,
Park Town,
Chennai - 600 003.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the respondent to strictly follow the notification No.03/2018 dated 14.02.2018 issued for the post of Motor Vehicle Inspector, Grade-II more particularly the educational qualification prescribed therein and grant such other further relief as this Hon'ble Court may deem fit in the circumstances of the case and thus render justice.

For Petitioner : Mr.R.K.Gandhi

For Respondent : Ms.Niraimathi

O R D E R

As per the request, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The learned counsel appearing for the petitioner would submit that the respondent has to strictly follow the Notification No.03/2018 dated 14.02.2018 issued for the post of Motor Vehicle Inspector, Grade-II more particularly the educational qualification prescribed therein.

3. The learned counsel for the petitioner would further submit that in respect of the very same issue, this Court passed an order which reads as follows:-

"The relief sought for in the present writ petition is to direct the respondent to strictly follow the Notification No.03/2018 dated 14.02.2018

issued for the post of Motor Vehicle Inspector, Grade-II, more particularly the educational qualification prescribed therein.

2.The learned counsel for the writ petitioner states that the respondent is now allowing the candidates to participate in the process of selection in violation of the Rules. As per the Recruitment Notification already issued, the writ petitioner is fully qualified and is eligible to participate in the process of selection. However, the respondent is receiving the applications from some unqualified persons by prescribing the higher qualification, which is in violation of the Service Rules in force.

3.It is made clear the the respondent is bound to follow the Recruitment Notification strictly and scrupulously. There cannot be any violation of the Rules in force in respect of the particular post as well as the terms and conditions stipulated in the Recruitment Notification. Under these circumstances, the respondent is directed to follow the Service Rules as well as the terms and conditions stipulated in the Recruitment Notification strictly and conduct the process of selection without any room for ambiguity or allegation.

4.With the above observation, the writ petition stands disposed of. However, there shall be no order as to costs."

4. In view of the above order rendered by this Court, this Court also takes a similar view and similar order has to be passed in this writ petition also. Accordingly, the respondent is directed to follow the Service Rules as well as the terms and conditions stipulated in the Recruitment Notification strictly and conduct the process of selection without any room for ambiguity or allegation.

5. With the above direction, the writ petition stands disposed of. No costs.

AT

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

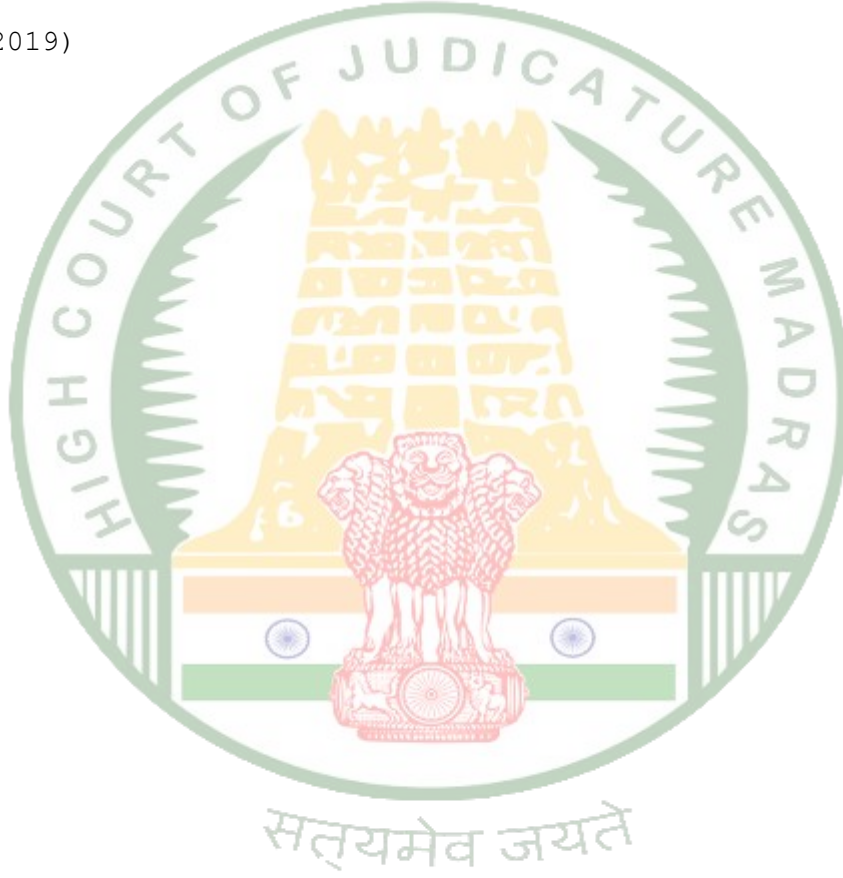
To

The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road, VOC Nagar,
Park Town, Chennai - 600 003.

+1cc to Mr.R.K.Gandhi, Advocate, SR.No.77571/19

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Kak(18/10/2019)



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