



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.17187 of 2014

and

M.P. (MD) Nos.1 and 2 of 2014

WEB COPY

M.Abimannan

... Petitioner

-Vs-

1.The Government of Tamil Nadu,
Represented by its Secretary to Government,
Department of Revenue,
Secretariat, Chennai-09.

2.The Secretary,
Tamil Nadu Public Service Commission,
No.3, Frazer Bridge Road,
V.O.C.Nagar,
Park Town, Chennai-600 006.

...Respondents

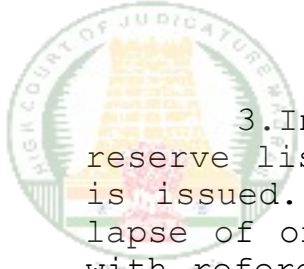
Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned list of certificate verification and counselling dated 08.10.2014 on the file of the respondent No.2 and quash the same as illegal and consequently direct the respondents to consider the appointment of the petitioner for the post of Village Administrative Officer against the unfilled vacancies on the basis of reserve list dated 13.09.2011 published by the respondent No.2 in connection with the advertisement No.248, dated 21.07.2010 with consequential benefits.

For Petitioner : Mr.T.Lajapathi Roy
For R1 : Mr.M.Jeyakumar,
Additional Government Pleader.
For R2 : No Appearance

ORDER

The list of candidates for the certificate verification and counselling dated 08.10.2014 on the file of the second respondent is sought to be quashed. Further direction is sought to consider the appointment of the writ petitioner to the post of Village Administrative Officer against the unfilled vacancies on the basis of the reserve list dated 13.09.2011 published by the second respondent in connection with the recruitment notification in Advertisement No.248, dated 21.07.2010.

2.Admittedly, the recruitment notification was issued on 21.07.2010 and reserve list was published on 13.09.2011. The grievance of the writ petitioner is that reserve list is to be considered for the purpose of providing appointment to the writ petitioner.



3. In fact as per the rules in force, the validity of the reserve list is one year or till the next recruitment notification is issued. Thus, the reserve list cannot be acted upon, after a lapse of one year. This apart, the present Writ Petition is filed with reference to the recruitment notification during the year 2010 and reserve list was published in the year 2011. The writ petition itself was filed on 17.10.2014, after a lapse of four years from the recruitment notification.

4. This Writ Petition is filed based on the selection list. The writ petitioner admittedly, was not selected in the original selection list. Thus, he cannot seek any direction to release the reserve list, after the period of one year from the date of publication of the reserve list and now, almost 5 ½ years lapsed from the date of publication of reserve list. Admittedly, the name of the writ petitioner had not been included in the reserve list. The reserve list has to be published based on the merit ranking list and now, after lapse of so many years, the unsuccessful candidate cannot seek inclusion of the name in the reserve list. When the writ petitioner was not included in the original selection list as well as in the reserve list published in the year 2014, the writ petitioner is not entitled for any appointment with reference to the notification issued on 21.07.2010.

5. This being the factum, this Writ Petition is devoid of merits and the same stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Secretary to Government,
Government of Tamil Nadu,
Department of Revenue,
Secretariat, Chennai-09.

2. The Secretary, Tamil Nadu Public Service Commission,
No.3 Frazer Bridge Road,
V.O.C Nagar, Park Town, Chennai - 600 006.

+1 CC to SPECIAL GOVERNMENT PLEADER SR.No. 73500.

W.P (MD) No.17187 of 2014