

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.13257 of 2013

G.Venkatesan

... Petitioner

.Vs.

1. The Transport Commissioner,
Transport Department,
Chepauk,
Chennai 600 005.
2. The Secretary,
Tamil Nadu Public Service
Commission,
Frazer Bridge Road,
VOC Nagar,
Park Town,
Near Broadway Bus Stand,
Chennai 600 003.
3. The Director of Vigilance and
Anti Corruption Department,
1, NCB, Raja Kumarasamy Salai,
Raja Annamalaipuram,
Chennai 600 028.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the TNPSC, the second respondent herein to forward the name of the petitioner within a time frame to the first respondent, Transport Commissioner, Chennai herein and further direct the first respondent herein to issue the appointment and posting order to the petitioner within a time frame to the post of Motor Vehicle Inspector Gr.II with effect from the date on which his batch mates got selected and appointed to the post of Motor Vehicles Inspector Gr.II for the year 2006-2008 with all consequential service, attendant monetary benefits with continuity of service and disburse all the consequential arrears within a short date that may be fixed by this Hon'ble Court.

For Petitioner : Mr.Thanveer
for M/s.K.Rajkumar

For Respondents: Mr.S.Thangavel for R1 and R3
Special Government Pleader
Dr.M.Devendran for R2

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the TNPSC, the second respondent to forward the name of the petitioner within a time frame to the first respondent, Transport Commissioner, Chennai and to further direct the first respondent to issue the appointment and posting order to the petitioner within a time frame to the post of Motor Vehicle Inspector Gr.II with effect from the date on which his batch mates got selected and appointed to the post of Motor Vehicles Inspector Gr.II for the year 2006-2008 with all consequential service, attendant monetary benefits with continuity of service and disburse all the consequential arrears within a short date that may be fixed by this Court.

2.The case of the petitioner is that though the petitioner was selected to the post of Motor Vehicle Inspector Gr.II for the year 2006-2008, the petitioner was not given any appointment order. When the petitioner enquired about the reason for the delay in issuing appointment order to him, he was informed by the Tamil Nadu Public Service Commission that all the records relating to Motor Vehicle Inspector Gr.II for the year 2006-2008, have been seized by the Vigilance and Anticorruption Department.

3.It is the further case of the petitioner that similarly situated persons filed writ petitions in W.P.Nos.14388 and 15707 of 2012 before this Court and pursuant to the order of this Court dated 09.07.2012 made in W.P.Nos.14388 and 15707 of 2012, the petitioners therein were given appointment orders by the TNPSC. The petitioner made representation to the respondents seeking to give appointment and posting order to him with effect from the date on which his batch mates got selected and appointed to the post of Motor Vehicles Inspector Gr.II and since there was no response has filed this writ petition.

4.Heard the arguments advanced on either side and perused the materials available on record.

5.From the perusal of records, this Court is of the opinion that the relief sought for in this writ petition has become

infructuous. However, this Court is inclined to grant liberty to the petitioner to work out the remedy in the manner known to law.

6.The writ petition stands disposed of with liberty to the petitioner to work out the remedy in the manner known to law. No costs. Consequently, the connected miscellaneous petition, if any, is closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

To

1. The Transport Commissioner,
Transport Department,
Chepauk,
Chennai 600 005.
2. The Secretary,
Tamil Nadu Public Service
Commission,
Frazer Bridge Road,
VOC Nagar,
Park Town,
Near Broadway Bus Stand,
Chennai 600 003.
3. The Director of Vigilance and
Anti Corruption Department,
1, NCB, Raja Kumarasamy Salai,
Raja Annamalaipuram,
Chennai 600 028.

+1cc to Mr.K.Rajkumar, Advocate, Sr.No.30862

W.P.No.13257 of 2013

mr (co)
rr ii (06/10/2020)