

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.02.2020

Coram

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.4284 of 2017 and
W.M.P.No.4481 of 2017

Gnanaoli

.. Petitioner

Vs.

1. The Tamilnadu Public Service Commission,
Rep. by its Secretary,
Frazer Bridge Road, VOC Nagar,
Park Town, Chennai 600 003.

2. The Controller of Examinations,
Tamil Nadu Public Service Commission,
Chennai 600 003.

... Respondents

Prayer : This writ petition has been filed under Article 226 of the Constitution of India to issue an order, direction, writ, more particularly in the nature of writ of mandamus directing the respondents to select and appoint the petitioner for the post of Junior Assistant, Group-IV services.

For Petitioner : Mr.K.Balu

For Respondents : Mr.M.Devendran (for R1 and R2)

ORDER

This writ petition has been filed for direction to the respondents to select and appoint the petitioner for the post of Junior Assistant, Group-IV services.

2. The case of the petitioner in nutshell is as follows.

The petitioner had applied to the post of Junior Assistant in the Group IV Examination conducted by the Tamil Nadu Public Service Commission and she secured 232.5 marks. Subsequently, she attended for certificate verification and then, she attended II phase of counselling held on 10.08.2016

and she was informed that she would be considered based on the vacancy position. While so, on 06.02.2017, a list was published for the III phase of counseling to be held on 22.02.2017 and some of the candidates registration numbers, which was published in the II phase of counseling list were also published in the III phase list. Hence, the respondents are not provided opportunity to the petitioner to get an employment under the government sector and thereby violated the Article 14 and 16 of the Constitution of India. Hence, the petitioner made representation to the 2nd respondent on 16.02.2017 and the same is pending. Hence, the writ petition.

3. The respondents filed counter, wherein it is stated as follows:

The petitioner had attended the second phase of certificate verification on 10.05.2016 and thereafter, she was called for the second phase of counselling conducted on 10.08.2016. The petitioner was to be considered against MBC/DC (W) (PSTM). During the counselling process, before reaching her turn, the vacancies in the said category had got filled up. In the II phase of counselling, the last selected candidate's rank was 4341 and in the III phase counselling, the last rank was 4454. Hence, the petitioner was not summoned for 3rd phase. Therefore, there is no merits in this petition and the same is liable to be dismissed.

4. Heard the learned counsel appearing for the petitioner as well as the respondents. I have perused the materials on record.

5. The learned counsel for the respondents submitted that the petitioner was to be considered under MBC/DC (W) (PSTM) category and her rank was 4481. He further submitted that in the 2nd phase of counselling, the last selected candidate's rank was 4341 and in the III phase counselling the last rank was 4454 and and hence she was not summoned for 3rd phase.

6. Inview of the submissions made by the counsel for the respondents, there is no merits in this writ petition. Hence, this writ petition is dismissed. No costs. Consequently, connected writ miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mst

To

1. The Tamilnadu Public Service Commission,
Rep. by its Secretary,
Frazer Bridge Road, VOC Nagar,
Park Town, Chennai 600 003.
2. The Controller of Examinations,
Tamil Nadu Public Service Commission,
Chennai 600 003.

+1cc to Mr.K.Balu , Advocate Sr.No. 12535

+1 cc to Dr.M.Devendran, Advocate Sr.No. 12138

W.P.No.4284 of 2017
W.M.P.No.4481 of 2017

PA(CO)
KKV/22/05/2020