



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Friday, the Fifth day of June Two Thousand Twenty

PRESENT

The Hon'ble Mr Justice P.N.PRAKASH
and
The Hon'ble Mr Justice B.PUGALENDHI

CMP(MD) Nos.3041 and 3042 of 2020
IN
WA(MD)Nos.SR51818 AND SR51814 of 2019

THE TAMIL NADU PUBLIC SERVICE COMMISSION,
REP.BY ITS SECRETARY,
PARK TOWN, V.O.C.NAGER,
CHENNAI 600 003.

... PETITIONER/APELLANT
IN BOTH THE PETITIONS

Vs

1 M.KAVIN KUMAR

2 THE DIRECTOR OF HORICULTURE AND PLANATION CROPS,
OFFICE OF THE DIRECTOR OF HORITICULTURE AND
PLANTATION CROPS,
CHEPAUK, CHENNAI-5.

... RESPONDENTS/RESPONDENTS
in CMP(MD) No.3041/2020
in WA(MD)No.SR51818/2019

R.UMA MAHESWARI

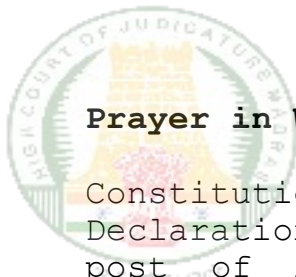
... RESPONDENT/RESPONDENT
in CMP(MD) No.3042/2020
in WA(MD)No.SR51814/2019

Prayer in CMP(MD)No.3041 of 2020 :

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to condone the delay of 221 days in representing the above WA.SR.(MD). No.51818/2019 and thus render justice.

Prayer in in WA(MD)No.SR51818/2019:

Pleaded to set aside the order passed in WP(MD)No.22006 of 2018 dated 27.04.2019.



Prayer in WP(MD)No.22006/2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Declaration to declare the non-selection of the petitioner to the post of Assistant Horticulture Officer during the Certificate Verification held on 23.10.2018 as illegal and consequently for a direction, directing the Respondent No.1 to rectify the error in the Petitioners online application pertaining to Direct Recruitment to the Post of Assistant Horticulture of Officer by way of changing the Petitioner's Community Status as 'DNC' instead of 'BC' and consider the Petitioner in the DNC Category and appoint the petitioner in the post of Assistant Horticulture Officer, within the time stipulated by this Court.

Prayer in CMP(MD)No.3042 of 2020 :

To condone the delay of 221 days in representing the above WA.SR.(MD).No.51814/2019 and thus render justice.

Prayer in in WA(MD)No.SR51814/2019:

Pleased to set aside the order passed in WP(MD)No.22055 of 2018 dated 27.04.2019.

Prayer in WP(MD)No. 22055/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to appoint the petitioner as Assistant Horticulture Officer by treating her under the DNC category in pursuance to the notification issued by the respondent in notification No.10/2018 dated 25.05.18.

ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of Mr.D.SIVARAMAN, Advocate for the petitioner in both the petitions and of Mr.T.LAJAPATHI ROY, Advocate on behalf of the 1st Respondent in both the petitions, the court made the following order:-

Being satisfied with the reasons stated in the affidavit filed in support of these petitions, the delay of 221 days in representing the above appeals, is condoned and the petitions are ordered on payment of Rs.2,500/- each to the Rojavanam, Home for aged and Poor, Ulaganeri, Madurai, A/c.No.6481560540, Indian Bank, Madurai Bench, within a period of two weeks from today and file a memo enclosing the receipts.

sd/-

05/06/2020

/ TRUE COPY /

/ /2020

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.



TO

1. THE DIRECTOR OF HORTICULTURE AND PLANTATION CROPS,
OFFICE OF THE DIRECTOR OF HORTICULTURE AND PLANTATION CROPS,
CHEPAUK, CHENNAI-5.
2. THE SECRETARY,
TAMIL NADU PUBLIC SERVICE COMMISSION,
PARK TOWN, V.O.C.NAGER,
CHENNAI 600 003.

COPY TO:-

THE OFFICER IN-CHARGE,
ROJAVANAM,
HOME FOR AGED AND POOR,
ULAGANERI, MADURAI

ORDER IN
CMP(MD) Nos.3041 & 3042/2020 in
WA(MD)Nos.SR51818 & SR51814/2019
Date :05/06/2020

AM/GK
TE/JC/SAR-III : 18/06/2020 : 3P/4C