



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.01.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **M.S.RAMESH**

W.P. (MD) No.26191 of 2019

and

W.M.P. (MD) No.22634 of 2019

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L.Arul Pragasam

... Petitioner

/vs./

The Member Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road,
V.O.C.Nagar,
Park Down,
Chennai - 600 003.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to publish the petitioner's results obtained in connection with the recruitment of posts included in combined Civil Services Examination -II, (Interview Post), Group-II Services), 2018 through notification No.15/2018 dated 10-08-2018 and further directing him to proceed with the selection process taking into consideration of marks obtained by the petitioner in this regard.

For Petitioner

: Mr.R.Anand

For Respondent

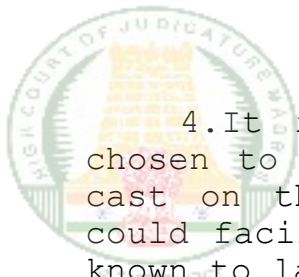
: Mr.K.K.Senthil, Standing Counsel

ORDER

This Writ Petition is filed to direct the respondent to publish the petitioner's results obtained in connection with the recruitment of posts included in combined Civil Services Examination -II, (Interview Post, Group-II Services), 2018 and to direct the respondent to proceed with the selection process taking into consideration of marks obtained by the petitioner in this regard.

2.By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.The learned counsel appearing for the petitioner would submit that the petitioner is aggrieved against the withholding of his result in the Civil Services Examination-II, (Interview Post, Group-II Services), 2018, which recruitment process commenced through Notification No.15/2018 dated 10.08.2018. The result of the petitioner has been withhold without citing any reason. Hence, the petitioner had given a representation dated 22.11.2019 seeking reason for withholding his result. Since the representation was not considered expeditiously, the present writ petition has been filed.



4.It is needless to point out that when the respondents had chosen to withhold the result of the petitioner, there was a duty cast on them to indicate the reason for such withholding, which could facilitate the petitioner to challenge the same in the manner known to law.

5.Whenver a representation is made to a statutory authority to redress the claim of the employee, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. Such an inaction would amount to dereliction of duties and thereby this Court would be justified in invoking its extraordinary powers under Article 226 of Constitution of India and thereby direct such authority to consider the representation within the stipulated time.

6.Under these circumstances, it would be appropriate to direct the respondents herein to consider the petitioner's representation dated 22.11.2019 made in this regard within the stipulated time.

7.In view of the above observations, there shall be a direction to the respondent herein to consider the petitioner's representation, dated 22.11.2019, on its own merits and pass appropriate orders within a period of 10 days from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any of its view with regard to the claim made by the petitioner in his representation and it is for the respondent to consider it in accordance with law.

8.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

mm

To:

The Member Secretary,
Tamil Nadu Public Service Commission, TNPSC Road,
V.O.C.Nagar, Park Down,
Chennai - 600 003.

+1 CC to M/s.R.ANAND, Advocate (SR-615[F] dated 07/01/2020)

W.P. (MD) No.26191 of 2019

SMA/10/01/2020/2P/3C -IT

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