



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 12.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD)No.430 of 2020

and

WMPMD) Nos.334,335 of 2020 and 1232 of 2021

S.Guruvammal

... Petitioner

versus

1. The State of Tamil Nadu

Rep. by its Secretary

Department of Food and Co-operation,
Secretariat, Fort St.George,
Chennai- 9

2. The Joint Registrar

(Statutory and Training)

Controller of Examinations/State Recruitment Bureau

Office of the Registrar of Co-operative Society

NV, Natarajan Maaligai

170 Periyar EVR High Road

Kilpauk, Chennai- 10

... Respondents

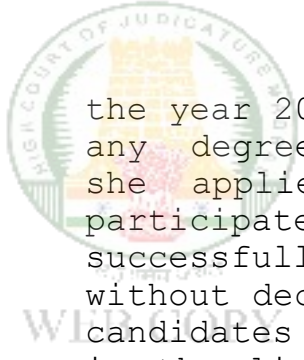
Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in Rc.10/2019SRB dt 11.10.2019 on the file of the respondent no.2 and quash the same as illegal and consequently for a directing the respondents to appoint the petitioner in the post of Assistant in the respondent cooperative institutions

For Petitioner	:	Mr. T. Aswin Rajasimman for Mr.T. Lajapathi Roy
For Respondents	:	Mr. R.Suresh Kumar Government Advocate

ORDER

This petition is filed against the order of the second respondent dated 11.10.2019 and for a consequential direction to the respondents to appoint the petitioner in the post of Assistant in the respondent Co-operative Institutions.

2. It is the case of the petitioner that the second respondent by notification invited application for the post of Assistant in



the year 2012. The required qualification prescribed for the post is any degree. The petitioner had required qualification and therefore she applied for the said post in the year 2012. She also participated in the written exam and completed the same successfully and oral interview was conducted on 27.01.2013. However without declaring the result, the respondents once again invited the candidates for interview and this petitioner's name was not found in the list published in the website. Thereafter the petitioner filed a Writ Petition before this Court in W.P(MD) No.17177 of 2014 challenging the impugned order and this Court by an order dated 20.10.2014 was pleased to keep one post vacant and finally the Writ Petition was disposed as under:

"2.The learned counsel appearing on behalf of the writ petitioner states that pursuant to the recruitment notification issued for appointment to the post of Assistant, the writ petitioner participated and attended the interview. The writ petitioner was successful in the written examination. However, the result regarding the selection is yet to be notified. The reason for delay in declaring the result, is also not stated. This apart, whether the process of selection has been concluded or cancelled is also not made clear by the respondents.

3.Appointment can never be claimed as a matter of right. All appointments are to be made strictly in accordance with rules in force. In the event of publication of selection list, if the writ petitioner is selected on merits as well as by following the rule of reservation, then the case of the writ petitioner is to be considered for appointment.

4.Under these circumstances, if the writ petitioner is selected in the process of selection and fully qualified for appointment, then the case is to be considered along with all other candidates, who are selected, pursuant to the said recruitment notification"

3. Without following the directions given by this Court in W.P (MD) No.17177 of 2014, the respondents had rejected the petitioner's request by way of impugned order dated 11.10.2019, hence this present petition has been filed.

4. When this matter is taken up for hearing today, the learned counsel for the petitioner submitted that the petitioner had been appointed on the subsequent selection process conducted by the second respondent and the grievance of the petitioner has been redressed.

5. Since the petitioner got appointed before the second respondent, nothing survives for further adjudication in this Writ Petition.



6. Accordingly the Writ Petition stands dismissed. No cost. Consequently connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CRL)

WEB COPY

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Secretary

State of Tamil Nadu,

Department of Food and Co-operation,

Secretariat, Fort St. George, Chennai- 9

2. The Joint Registrar

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+1 CC to M/s.SPL GP (SR-34437[F] dated 15/11/2021)

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KMV(CO)

KB(19.11.2021) 3P 4C