



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2021

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.A. (MD)No.1340 of 2021
and C.M.P (MD) .No.5556 of 2021

M.Uthayasekar

... Appellant/Petitioner

Vs.

1. The Tamil Nadu Public Service Commission,
TNPSC Road, V.O.C.Nagar, Park Town,
Chennai - 600 003.

2. The Chief Educational Officer,
Ramanathapuram, Ramanathapuram District.

3. The District Educational Officer,
O/o. the District Educational Office,
Mandapam, Ramanathapuram District.

4. The Industries Commissioner and
Director of Industries and Commerce,
Department of Industries and Commerce,
SIDCO Corporate Office Building,
3rd Floor, Thiru-Vi-Ka Industrial Estate,
Guindy, Chennai-600 032.

... Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of Letters Patent, against the order of this Court made in W.P.(MD) No.8868 of 2021, dated 15.06.2021.

Prayer in WP(MD). 8868 of 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-6. to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the Impugned order in Proc.No.12665/EB2/2012 dated 21.06.2012 on the file of Respondent No.4 and consequential impugned Memorandum in Memorandum no.962/PSD-B4/2021 dated 27.03.2021 on the file of the Respondent no.1 and quash the same as illegal and consequently for a direction direct the Respondent no.2 to regularized petitioners service in the post of typist from 02.11.2007 and provide the other benefits and allowances within the time frame stipulated by this Honble Court and pass such further or other orders as this Honble Court may be deem fit and proper in the circumstances of the case and thus render justice.



For Appellants : Mr.T.Lajapathi Roy
For Respondent : Mr.A.K.Manickam
Standing Counsel for Government

J U D G M E N T

[Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

We have heard Mr.T.Lajapathi Roy, learned counsel appearing for the appellant and Mr.A.K.Manickam, learned Government Counsel appearing for the respondents.

2. The appellant is the writ petitioner, who sought for issuance of a Writ of Certiorarified Mandamus to quash the order dated 21.06.2012, passed by the fourth respondent and consequential memorandum dated 27.03.2021 and for a direction to regularise his services.

3. Admittedly, the appellant does not have any vested right to claim that he should be allotted to a particular Department in a recruitment conducted by the Tamil Nadu Public Service Commission in respect of a non-OT post. Merely because in the counselling, the appellant might have adopted to School Education Department, that does not mean that he has to be allotted in the School Education Department. Various factors are taken into consideration for drawal of the select list and allotment to various Departments. Therefore, if the appellant was really in need of a Government job, he ought to have joined the Industries Department, but, rather abandoned the same and was continuously litigating, stating that he has to be in the School Education Department.

4. Therefore, the learned Single Bench rightly declined to interfere with the impugned order. Thus, we find no ground has been made out by the appellant to interfere with the order passed in the writ petition. Accordingly, the Writ appeal fails and dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-I)

// 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.

<https://hcservices.ecourts.gov.in/hcservices/>



To:

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TNPSC Road,
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+1 CC to M/s.T.LAJAPATHY ROY, Advocate (SR-21876[F] dated
09/07/2021)

+1 CC to M/s.SPL GP (SR-22136[F] dated 12/07/2021)

W.A. (MD)No.1340 of 2021
08.07.2021

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