



WEB COPY



W.P.No.34220 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.34220 of 2018
and
W.M.P.No.39761 of 2018

M.Chinnamuthu

... Petitioner

Vs.

1.The Tamil Nadu Public Service Commission
Represented by its Chairman
Frazer Bridge Road
VOC Nagar, Part Town,
Chennai – 600 003.

2.The Department of Co-operatives Societies
Represented by its Registrar
No.170, NV Natarajan Maaligai,
Periyar EVR High Road, Kilpauk,
Chennai – 600 010.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to directing the 1st and 2nd Respondents to consider the Petitioner's candidature on merits to that of his Junior's for the post of Junior Inspector of Co-operative societies in the 2nd respondent Department and by taking into consideration his Educational Qualification, age as also giving preference to his service rendered in the 2nd respondent Society and issue such further or other appropriate orders or directions.



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For Petitioner	: Mr.T.Dharani
For R1	: Ms.G.Hema [For TNPSC]
For R2	: Mr.R.P.Murugan Raja Government Advocate

ORDER

The relief sought for in the present writ petition is to direct the respondents 1 and 2 to consider the petitioner's candidature on merits to that of his juniors for appointment to the post of Junior Inspector of Co-operative Societies.

2. The petitioner states that he participated in the process of selection for appointment to the post of Junior Inspector of Co-operative Societies. The petitioner was working as Gold Appraiser in the Chemplast Employees Co-operative Thrift and Credit Society limited, Mettur from 16.09.2004 to 11.10.2009. Based on his services in the Co-operative Society, the petitioner claims that 50% of the post is to be allotted to the employees of the Co-operative Society as per the Government rules in force.



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3. The learned counsel appearing on behalf of the 1st respondent /

Tamil Nadu Public Service Commission made a submission that the petitioner was not reached the zone of consideration for admission to the oral test in the open category. As far as the claim of the writ petitioner for the priority is concerned, the Government issued G.O.Ms.No.92, Co-operation, Food and Consumer Production (CH-2) Department, dated 06.07.2018, the provision for 15% vacancies is to be filled up by the Supervisor of the Co-operative Societies and other non-official employees of the Co-operative Institutions have been deleted. Hence, the notification No.28/2018 dated 23.10.2018 for the said post, no vacancy has been earmarked for the departmental candidates.

4. It is further contended that the petitioner was holding the post of Gold Appraiser and which is not a regular employment in the Co-operative Society. Thus, he is not eligible to avail the benefits under the employees quota and more so, the quota itself has been abolished by the Government in its order issued in G.O.Ms.No.92 dated 06.07.2018. Beyond all these facts the petitioner had not reached the zone of consideration, who participated in the oral test and thus, at this length of time, there is no reason to consider the



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relief as such sought for in the present writ petition to appoint the petitioner to the post of Junior Inspector of Co-operative Society.

5. Accordingly, the Writ Petition stands dismissed. No costs.

Consequently, connected Miscellaneous Petition is closed.

28.10.2022

Jeni

Index : Yes

Speaking order

To

1.The Chairman

The Tamil Nadu Public Service Commission
Frazer Bridge Road
VOC Nagar, Part Town,
Chennai – 600 003.

2.The Registrar

The Department of Co-operatives Societies
No.170, NV Natarajan Maaligai,
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S.M.SUBRAMANIAM, J.

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