



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2022

CORAM :

WEB COPY

THE HON`BLE MR.JUSTICE B.PUGALENDHI

W.P(MD) No.869 of 2022 and
WMP(MD) No.700 of 2022

R.Sivasajith

Petitioner

Vs.

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

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

Respondents

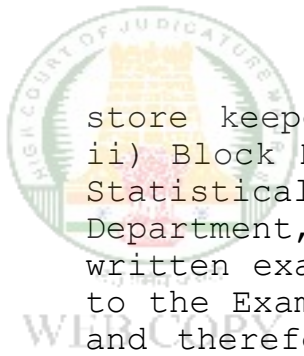
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to direct the respondents to conduct fresh Paper - 1 Examination insofar the petitioner is concerned, for the post included in the Combined Statistical Subordinate Service Examination conducted by the respondents in Notification No.16/2021, dated 20.10.2021, by considering the petitioner's representation, dated 11.01.2022, within the time frame fixed by this Court.

For Petitioner :Mr.J.Senthil Kumaraiah
For Respondents :Mr.Anand Kumar .J

O R D E R

This writ petition is filed for a Mandamus to direct the respondents to conduct fresh Paper - 1, Combined Statistical Subordinate Service Examination, insofar the petitioner is concerned, as per Notification No.16/2021, dated 20.10.2021, by considering the petitioner's representation, dated 11.01.2022.

2.The case of the petitioner is that he is physically challenged person and applied for the post included in the Combined Statistical Subordinate Service Examination i)Computer - cum vaccine



store keeper in Public Health and Preventive Medicine Department, ii) Block Health Statistician in Family Welfare Department and iii) Statistical Assistant in Food Safety & Drug Administration Department, as per Notification No.16 of 2021, dated 20.10.2021. The written examination was scheduled on 11.01.2022. The petitioner went to the Examination Hall on 11.01.2022 at 9.35 am, instead of 9.00 am and therefore, the petitioner was not permitted to participate in the examination. Hence, the petitioner is before this Court with the present writ petition, to direct the respondents to conduct fresh examination insofar as the petitioner is concerned.

3.This Court is surprised how the petitioner is expected this Court to direct the respondents to conduct examination afresh insofar the petitioner is concerned, for the fault of the petitioner in not attending the examination in time. Once the petitioner applied for any examination, he/she should be vigilant about the timings and the venue of examination. In the present case, the petitioner has entered the examination hall after 35 minutes of commencement of examination. Therefore, there is no right accrued on the petitioner to claim for re-examination and there is no obligation on the part of the respondents to conduct fresh examination.

4.In view of the above, there is absolutely no merit in this writ petition and accordingly, this writ petition is dismissed at the admission stage itself. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

vrn

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

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



2.The Controller of Examination,
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