



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.06.2022

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR
and
THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.A. (MD) .No.578 of 2022

and

C.M.P. (MD) .No.4986 of 2022

N.Jegan ... Appellant

Vs.

- 1.The Government of Tamil Nadu
represented by its Secretary,
Department of Animal Husbandry,
Dairying and Fisheries,
Fort St. George,
Chennai.
 - 2.The Director of Animal Husbandry and Veterinary Services,
Chennai.
 - 3.The Joint Director of Animal Husbandry and Veterinary Services,
Kanyakumari District,
Nagercoil.
- ... Respondents

Prayer: This Writ Appeal is filed under Clause 15 of Letters Patent Act, against the order passed in W.P.(MD).No.8127 of 2022, dated 26.04.2022.

Prayer in WP(MD) . 8127/ 2022 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court S-4 Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus any other appropriate writ or order in the nature of writ and directing the 2nd respondent consider petitioner representation dated 18.04.2022 and thereby direct the respondent to publish the result for the interview dated 11.01.2017 as per the order of this Honorable Court in W.P.(MD).No. 24 of 2017 and if I am selected, the respondent may issue appoint order for the post of office assistant in BC Category at Kanyakumari District and thus render justice.

For Appellant : Mr.G.Cenil
For Respondents : Mr.N.Satheesh Kumar
Special Government Pleader



J U D G M E N T

(Judgment of the Court was delivered by S.S.SUNDAR.J.,)

This appeal is directed against the order of the learned single Judge dated 26.04.2022 in W.P.(MD).No.8127 of 2022.

2. Heard Mr.G.Cenil, learned counsel for the petitioner and Mr.N.Satheesh Kumar, learned Additional Government Pleader, who accepts notice for the respondents.

3. The brief facts that are necessary for the disposal of this appeal are as follows:

The appellant filed a writ petition in W.P.(MD).No.8127 of 2022 to consider the petitioner's representation dated 18.04.2022 and to direct the respondents to publish the result for the interview dated 11.01.2017, as per the order of this Court in W.P.(MD).No.24 of 2017 and further direction to issue appointment order to the appellant for the post of Office Assistant in BC category at Kanyakumari District.

4. Pursuant to the notification for recruitment to the post of Office Assistant for the year 2015 - 16, the petitioner submitted an application and also participated in the selection process. Since there was no further progress, the appellant filed a writ petition in W.P.(MD).No.24 of 2017. This Court disposed the writ petition by order dated 03.01.2017, permitting the petitioner to participate in the interview, which is to be conducted separately by the respondents. Thereafter, the petitioner has participated in the interview.

5. It is now admitted before this Court that the recruitment notification for the year 2015 - 16 was withdrawn. Even though the appellant filed a contempt petition earlier, the contempt petition was closed, after recording that there is no wilful disobedience on account of the subsequent development. However, the petitioner, on the basis of his participation in the interview, pursuant to the previous notification, which was withdrawn, filed the present writ petition, which cannot be considered, in view of the withdrawal of recruitment notification. The learned single Judge has rightly dismissed the writ petition holding that the earlier notification has been withdrawn and in view of the dropping of earlier recruitment notification and the closure of contempt petition, the appellant cannot be granted any relief in relation to his participation in the interview/selection process, pursuant to the recruitment notification. This Court finds no merit in the Writ



Appeal and the same is dismissed. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS III)

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Sub Assistant Registrar(CS)

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To

- 1.The Secretary,
Government of Tamil Nadu,
Department of Animal Husbandry,
Dairying and Fisheries,
Fort St. George,
Chennai.
- 2.The Director of Animal Husbandry and Veterinary Services,
Chennai.
- 3.The Joint Director of Animal Husbandry and Veterinary Services,
Kanyakumari District,
Nagercoil.

+1 CC to M/s.SPL.GP (SR-28258[F] dated 27/06/2022)

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