



WEB COPY



WP.No.248 of 2008

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P. No.248 of 2008
and
M.P.No.1 of 2008
and
W.M.P.No.22881 of 2019

A. Jaya Petitioner

Vs.

1. Tamil Nadu Public Service Commission,
Chennai – 600 002.
represented by its Secretary,
Government Estate,
Chennai – 2.

2. The Personnel and Administrative Reforms,
Represented by its Secretary,
Fort St.George,
Chennai – 9.

3. The Adidravida and Tribunal Welfare Department,
Represented by its Secretary,
Fort St.George,
Chennai – 9.

.... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India
praying to issue Writ of Mandamus directing the respondent herein to
regularise petitioner's service from the date of her initial appointment i.e.,



WP.No.248 of 2008

from 10.02.1995 to 07.09.1998 and absorb her in the regular establishment of the Tamil Nadu Public Service Commission and regularise her service with retrospective effect and grant promotions and pay her back wages etc.,

For Petitioner	:	Mr.M.Vijayakumar
For R1	:	Mr.R.Bharanidaran Standing Counsel
For R2	:	Dr.T.Seenivasan Special Government Pleader

ORDER

This Writ Petition has been filed for direction directing the respondents to regularise the service of the petitioner from the date of her initial appointment viz., from 10.02.1995 to 07.09.1998.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner was sponsored by the District Employment Office, Chennai to attend the interview for selection and appointment to the temporary post of daily wage basis. Accordingly, she was appointed as uneducated Mazdoor in Tamil Nadu Public Service Commission with



WP.No.248 of 2008

effect from 10.02.1995. The petitioner stated in the affidavit that she was appointed as Section Writer, which is false. In fact, she made a representation and that was not considered and as such, the petitioner also filed writ petition before this Court in W.P.No.682 of 2002. This Court, by an order dated 15.02.2002, directed the first respondent to consider the representation of the petitioner dated 16.09.2001 and dispose of the same within the stipulated time. By an order dated 11.03.2002, the first respondent rejected the request of the petitioner on the ground that she did not work as Section Writer in the Tamil Nadu Public Service Commission and she was employed as uneducated Mazdoor on daily wage basis. However, she had stayed away from duty with effect from May 1996. Therefore, the request of the petitioner to provide the employment as Office Assistant is inadmissible and cannot be granted. Again, she made another representation and the same was also rejected by an order dated 14.10.2004. However, the petitioner did not challenge those orders in the manner known to law. After a period of four years of order of rejection, the petitioner again filed this writ petition for the same request.



WP.No.248 of 2008

4. In view of the above, this writ petition is devoid of merits and is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

16.08.2023

Index: Yes/No
Internet: Yes/No
Lpp

To

1. The Secretary,
Tamil Nadu Public Service Commission,
Chennai – 2.

2. The Secretary,
The Personnel and Administrative Reforms,
Fort St.George,
Chennai – 9.

3. The Secretary
Adidravida and Tribunal Welfare Department,
Fort St.George,
Chennai – 9.



WEB COPY



WP.No.248 of 2008

G.K.ILANTHIRAIYAN,J.

Lpp

W.P. No.248 of 2008

16.08.2023