



W.P.No.4436 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.No.4436 of 2020

L.Mathumitha

...Petitioner

-Vs-

The Secretary,
Tamil Nadu Public Service Commission,
T.N.P.S.C.Road, V.O.C. Nagar, Park Town,
Chennai - 600 003

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent to admit the petitioner to the process of Certificate Verification and Counselling for the Combined Civil Services Examination - IV (Group - IV) 2018-19 and 2019-2020 to be held from 19.02.2020 based on the mark secured in the Written Examination.

For Petitioner : Mr.Balaji Thirumoorthy

For Respondent : Mrs.G.Hema



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ORDER

WEB COPY Heard learned counsel for the petitioner and learned Standing Counsel appearing for the respondent.

2. In this writ petition, the petitioner is seeking a direction to the respondent to include her in the process of Certificate Verification and Counselling for the Combined Civil Services Examination - IV (Group - IV) 2018-19 and 2019-2020 to be held from 19.02.2020

3. Learned counsel for the petitioner and the respondents submit that in the light of the interim directions of this Court, the petitioner is permitted to participate in the counselling.

4. During the course of hearing, today, Mrs.Hema learned Standing Counsel appearing for the Tamil Nadu Public Service Commission has placed a copy of the order of the Hon'ble Apex Court in SLP(C).No.4357 of 2020 dated 01.05.2023.



5. On careful perusal of the same, it appears that some similarly placed persons approached this Court with respect to the selection process taken up, pursuant to Notification No.19 of 2019 dated 14.06.2019. Against the order dated 26.09.2019 in W.A.No.3285 of 2019 passed by the Madras High Court, The Tamil Nadu Public Service Commission filed SLP before the Hon'ble Apex Court, and on consideration of the facts and circumstances of the case, the Hon'ble Apex Court disposed of the SLP with certain directions. The relevant directions are extracted as herein under for appropriate adjudication of the present writ petition:

"3.Pursuant thereto, the petitioner - Tamil Nadu Public Service Commission, has taken a decision resolving to select and recommend the names of 62 candidates mentioned in Table I of the additional affidavit dated 28.04.2023 appended with Interlocutory Application No.89727/2023, for appointment to the posts mentioned in the Table itself. As regard to 10 candidates in the Table II, it is stated that even after treating them eligible, they do not come into the zone of consideration. As regard to 6 candidates mentioned in Table III, it is stated that they will be adjusted against future vacancies as no posts were reserved for them during the pendency of the case(s). The appointment of these 6 candidates will be subject to other



eligibility conditions.

4. The Special Leave Petitions are, accordingly, disposed of in terms of the additional affidavit dated 29.04.2023 filed by the petitioner - Tamil Nadu Public Service Commission, along with Tables I, II and III. The Public Service Commission shall be at liberty to act upon as per its decision referred to above, as early as possible and preferably within two months from the date of receipt of a copy of this Order."

6. Learned Standing Counsel further submits that if the petitioner comes under table 1, 2 & 3, her case will be considered for appointment by following the directions of the Hon'ble Apex Court.

7. Learned counsel appearing for the petitioner also agreed to dispose of this writ petition, if the Court stipulates some time to consider the case of the petitioner in compliance of the directions of the Hon'ble Apex Court.

8. Having heard the submissions of the respective counsels, in our considered opinion, without going into further merits of the case, it is appropriate to dispose of this writ petition with a direction to the respondent Tamil Nadu Public Service Commission to consider the case of the petitioner as per the directions issued by the Hon'ble Apex Court on 01.05.2023 in



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SLP(C).No.4357 of 2020 within a stipulated period.

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9. Accordingly, this writ petition is **disposed of** with a direction to the Tamil Nadu Public Service Commission to consider the case of the petitioner as per the directions issued by the Hon'ble Apex Court in its order dated 01.05.2023 in SLP(C).No.4357 of 2020 within a period of four weeks from the date of receipt of a copy of this Order.

10. There shall be no order as to costs.

11. Consequently, connected miscellaneous petition is closed, if any.

26.06.2023

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Note: Issue order copy on 28.06.2023

Index: Yes/No

Neutral Citation: Yes/No

To

The Secretary,
Tamil Nadu Public Service Commission,
T.N.P.S.C.Road, V.O.C. Nagar, Park Town,
Chennai - 600 003

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BATTU DEVANAND, J.

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