



W.P.Nos.4852, 6574, 6575, 7022, 16286 & 6604 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

**W.P.Nos.4852, 6574, 6575, 7022, 16286 & 6604 of 2020 &
Connected W.M.Ps.**

S.Divya Lakshmi	...Petitioner in W.P.No.4852 of 2020
M.R.Komalavalli	...Petitioner in W.P.No.6574 of 2020
P.Revathi	...Petitioner in W.P.No.6575 of 2020
K.Banipriya	...Petitioner in W.P.No.7022 of 2020
K.Usha	...Petitioner in W.P.No.16286 of 2020
U.Kowsar Banu	...Petitioner in W.P.No.6604 of 2020
-Vs-	

The Member Secretary,
Tamil Nadu Public Service Commission,
Frazeer Bazaar Street, VOC Nagar,
Park Town, Chennai. ...Respondent in W.P.No.4852 of 2020

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

2.The Secretary,
Tamil Nadu Public Service Commission,
T.N.P.S.C.Road, V.O.C. Nagar, Park Town,
Chennai - 600 003 ...Respondents in W.P.Nos.6574, 6575
& 7022 of 2020



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

2.The Deputy Secretary,
Tamil Nadu Public Service Commissioner,
T.N.P.S.C.Road, V.O.C.Nagar, Park Town,
Chennai - 600 003. ... Respondents in W.P.No.16286 of 2020

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

2.The Under Secretary,
Tamil Nadu Public Service Commission,
V.O.C.Nagar, Park Town,
Chennai - 600 003.

3.The Controller of the Examination,
Tamil Nadu Public Service Commission,
V.O.C.Nagar, Park Town,
Chennai - 600 003. ... Respondents in W.P.No.6604 of 2020

PRAYER in W.P.No.4852 of 2020: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent to include the petitioners register number 0708038058 for the counselling with respect to the notification No.19/2019 dated 14.06.2019 issued by the respondent to be held on 19.02.2020.

PRAYER in W.P.No.6574 & 6575 of 2020: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus



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directing the respondents to consider the representation dated 09.03.2020 sent by the petitioners.

PRAYER in W.P.No.7022 of 2020: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to consider the representation dated 16.03.2020 sent by the petitioner.

PRAYER in W.P.No.16286 of 2020: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus to call for all the records pertaining to issuance of the impugned order of the second respondent dated 19.10.2020 memorandum in No.4188/APD-B2/2019 consequently direct the respondents to appoint the petitioner herein for the post of the Typist in the Group-IV Service (2018-2020), if otherwise eligible.

PRAYER in W.P.No.6044 of 2020: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the first respondent in his proceedings Nil dated Nil (Published in the official website of TNPSC on 12.02.2020) and quash the same as illegal in so far as the non inclusion of the petitioner's Register Number (2704025078) is concerned and consequentially to direct the first respondent to consider the petitioner for appointment to the posts of Junior Assistant /Field Surveyor/Draftsman/Village Administrative Officer included in Combined



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Civil Service Examination-IV (Group-IV) for the years 2018-2019 and 2019-2020 taking into consideration of the marks secured by the petitioner within the time that may be stipulated by this Court.

For Petitioner in
W.P.No.4852 of 2020 : Mr.S.C.Vishwanth

For Petitioner in
W.P.No.6574, 6575,
7022 & 16286 of 2020 : Mr.C.Umashankar

For Petitioner in
W.P.No.6604 of 2020 : Mr.S.Nambi Arooran

For Respondents/TNPSC : Mrs.G.Hema

COMMON ORDER

Heard learned counsel for the respective petitioners and learned Standing Counsel appearing for the Tamil Nadu Public Service Commission.

2. In all these writ petitions, the petitioners are seeking a direction to the respondents to include them for counselling to be held on various dates, pursuant to notification No.19/2019 issued on 14.06.2019.



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3. Learned counsel for the petitioner and the respondents submit that in the light of the interim directions of this Court, the petitioners are permitted to participate in the counselling held on different dates.

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:



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"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."



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6. Learned Standing Counsel further submits that if the petitioners come under table 1, 2 & 3, their cases will be considered for appointment by following the directions of the Hon'ble Apex Court.

7. Learned counsel appearing for the petitioners also agreed to dispose of these writ petitions, if the Court stipulates some time to consider the cases of the petitioners 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 these writ petitions with a direction to the respondent Tamil Nadu Public Service Commission to consider the cases of the petitioners as per the directions issued by the Hon'ble Apex Court on 01.05.2023 in SLP(C).No.4357 of 2020 within a stipulated period.

9. Accordingly, all these writ petitions are disposed of with a direction to the Tamil Nadu Public Service Commission to consider the cases of the petitioners as per the directions issued by the Hon'ble Apex Court in its order



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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 petitions are closed.

22.06.2023

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Note: Issue order copy on 26.06.2023

Index: Yes/No

Neutral Citation: Yes/No



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To
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- 2.The Secretary,
Tamil Nadu Public Service Commission,
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BATTU DEVANAND, J.

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