



W.P.No.32755 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2023

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.32755 of 2012

K.C.Sunitha

... Petitioner

Vs.

The Tamil Nadu Public Service Commission,
Rep. by its Secretary,
Government Estate,
Chennai-600 002.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to direct the respondent to conduct oral test and select the petitioner for appointment to the post of District Educational Officer in the Tamil Nadu School Educational Service pursuant to the notification issued by the respondent dated 23.11.1998.

For Petitioner : Mr.V.Selvaraj

For Respondents : Mr.I.Abrar Md. Abdullah
Standing Counsel



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ORDER

When the matter was taken up for hearing, the learned counsel appearing on behalf of the petitioner appeared through Video Conference and sought leave of this Court to withdraw the petition as nothing survives in this writ petition.

2. Recording the submission made by the learned counsel for the petitioner, the writ petition stands dismissed as infructuous. However, there shall be no order as to costs. Consequently, connected miscellaneous petition, if any, is closed.

21.06.2023

Speaking (or) Non Speaking Order
Index : Yes/ No
Neutral Citation: Yes/ No
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Today, the case is listed under the caption "for being mentioned" at the instance of the learned counsel for the petitioner.

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2. Heard both sides.

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3. Although the matter was dismissed as withdrawn on the premise that nothing survives in the writ petition. It was submitted by the learned counsel for the petitioner that he appeared through Video Conferencing and had not withdrawn the writ petition on 21.06.2023 and there was some miscommunication due to technical glitches (connectivity issues). The learned counsel for the Respondent reiterated his submission that subsequent to the filing of the writ petition, vacancies have been filled and a notification has also been issued and nothing survives in the writ petition.

4. In view of the submission made by the learned counsel for the respondent and petitioner, the order in W.P.No.32755 of 2012 dated 21.06.2023, is replaced as follows:

“The writ petition is filed praying to issue a writ of Mandamus directing the respondent to conduct oral test and select the petitioner for appointment to the post of District Educational Officer in the Tamil Nadu School Educational Service pursuant to the notification issued by the respondent dated 23.11.1998.



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2. The learned counsel for the respondent would submit that subsequent to the filing of the writ petition in view of the fact that vacancies have been filled and subsequent notification has also been issued and nothing survives in the writ petition. Thus the writ petition ought to be dismissed, which was not seriously objected to by the petitioner.

3. Recording the submission made by the learned counsel for the respondent, the Writ Petition stands dismissed. No costs.”

5. Registry is directed to carry out necessary corrections and issue the corrected order copy to the parties forthwith.

29.09.2023

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To:
The Secretary,
Tamil Nadu Public Service Commission,
Government Estate, Chennai-600 002.



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