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W.P.No.7058 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.7058 of 2020
and W.M.P.No.8415 of 2020

T.Kanagavarkuzhali

... Petitioner

Vs.

The Tamil Nadu Public Service Commission,
Rep. by its Secretary,
Frazer Bridge Road,
V.O.C. Nagar,
Chennai – 600 003.

... Respondent

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondent to permit the petitioner to participate in the original certificate verification & counselling to the post of Steno Typist GR.III included in the Combined Civil Services Examination – IV (GROUP IV) for the years 2018-2019 & 2019-2020 (Notification No 19/2019 dated 14.06.2019) and issue selection order based on the results of the Written Examination conducted on 01.09.2019 & marks and rank published on 12.11.2019.

For Petitioner : Mr.R.Prem Narayan

For Respondent : M/s.G.Hema



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ORDER

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

2. In this writ petition, the petitioner is seeking direction to the respondent to permit her to participate in the original certificate verification & counseling to the post of Steno Typist GR.III included in the Combined Civil Services Examination – IV (GROUP IV) for the years 2018-2019 & 2019-2020 (Notification No 19/2019 dated 14.06.2019) and issue selection order based on the results of the Written Examination conducted on 01.09.2019 & marks and rank published on 12.11.2019.

3. 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. Further, she would fairly submits that in a batch of writ petition, this Court passed an order, which is squarely applicable to the



present facts of the case. Hence, she prayed this Court that the same relief shall be granted to the petitioner.

4. 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 this 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



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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."

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

6. Learned counsel for the petitioner has 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.

7. Having heard the submissions of the respective counsels and without going into further merits of the case, in my considered view, it is appropriate



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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 SLP(C).No.4357 of 2020.

8. 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 and accommodate the petitioner in the next recruitment.

9. There shall be no order as to costs.

10. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Speaking Order : Yes/No

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The Secretary
Tamil Nadu Public Service Commission,
Frazer Bridge Road,
V.O.C. Nagar,
Chennai – 600 003.

J.SATHYA NARAYANA PRASAD,J.

vm

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