



W.P.No.10326 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2023

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.10326 of 2023
and WMP.No.10294 of 2023

G. Vinitha

... Petitioner

Vs.

1.Tamil Nadu Public Service Commission,
Rep. by its Secretary,
Frazer Bridge Road,
V.O.C. Nagar, Park Town,
Chennai – 3.

2.The Director,
Industrial Safety and Health,
Tamil Nadu Factory Service,
Industrial Estate,
Guindy, Chennai – 600 032.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to issue/provide appointment order for the petitioner to the vacant post of ADISH (Assistant Director of Industrial Safety and Health) under BC (OBCM) Category which fell vacant due to the non-joining of selected candidates which were published for the Notification No.18/2019 dated 29.05.2019 in the Combined Engineering Services Examination 2008-2022.



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For Petitioner : Mr.M. Loganathan
for Mr.K.J. Sivakumar

For Respondents : Mr.I. Abrar Md. Abdullah
Standing Counsel [R1]

Mrs.V. Yamuna Devi,
Special Government Pleader [R2]

ORDER

Heard the learned counsel for the petitioner, learned Standing Counsel for the first respondent, as well as the learned Special Government Pleader appearing for the second respondent.

2. The limited prayer sought for in the present Writ Petition is for a direction to the respondents to issue/provide appointment order for the petitioner to the vacant post of ADISH (Assistant Director of Industrial Safety and Health) under BC (OBCM) Category, which fell vacant due to the non-joining of selected candidates which were published for the Notification No.18/2019 dated 29.05.2019 in the Combined Engineering Services Examination 2008-2022.



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3. This Court is of the view that such a claim requires to be considered by the concerned respondent and this Court may not be justified in stepping into the shoes of the respondents to consider the same. Nevertheless, if the petitioner is granted liberty to give a representation to the respondents herein, seeking to issue/provide appointment order in the vacant post of Assistant Director of Industrial Safety and Health under BC (OBCM) Category, with a consequential direction to the respondents to consider the same within a stipulated time, the ends of justice could be secured.

4. In the light of the above observations, the petitioner is granted liberty to give a representation to the respondents, ventilating his grievances and on receipt of the same, the respondents shall consider it on its own merits and pass appropriate orders in accordance with law, within a period of two (2) weeks from the date of receipt of the representation. It is made clear that this Court has not expressed any of its views with regard to the merits of the claim made by the petitioner and it is open to the concerned respondent to consider it on its own merits.



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M.S.RAMESH,J.

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5. With the above direction, this Writ Petition stands disposed of.

No costs. Connected miscellaneous petition is closed.

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Speaking/Non-speaking
Index:Yes/No

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To

1.The Secretary,
Tamil Nadu Public Service Commission,
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V.O.C. Nagar, Park Town,
Chennai – 3.

2.The Director,
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