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W.A.(MD) No.415 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2023

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

**W.A.(MD) No.415 of 2020
and
C.M.P.(MD) No.2814 of 2020**

1.The Deputy Secretary
Tamil Nadu Public Service Commission
Frazer Bridge Road
Chennai-600 003

2.The Under Secretary
Tamil Nadu Public Service Commission
rep.by its Secretary / Chairman
Frazer Bridge Road
Chennai-600 003

... Appellants

-vs-

1.N.R.Ravanth

2.The Principal Secretary
Public Works Department (PWD)
Secretariat, Fort St.George
Chennai

... Respondents



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W.A.(MD) No.415 of 2020

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 23.10.2019, passed in W.P.(MD) No.13302 of 2019, on the file of this Court.

For Appellants : No appearance

For Respondents : Mr.R.Gowri Shankar for R1
Mr.S.Shanmugavel
Additional Government Pleader for R2

J U D G M E N T

[Judgment of the Court was made by S.M.SUBRAMANIAM, J.]

This writ appeal is directed against the order of the learned Single Judge, dated 23.10.2019, passed in W.P.(MD) No.13302 of 2019.

2. Learned counsel appearing for the first respondent has produced a copy of the order dated 01.05.2023, passed in S.L.P.(C) No.4357 of 2020, by the Honourable Supreme Court. The relevant portion of the said order is extracted hereunder:



WEB COPY



W.A.(MD) No.415 of 2020

“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 28-04-23 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.

5. It is made clear that this order shall not give rise to any cause of action in favour of such candidates who have not approached this Courts so far.

6. All pending applications also stand disposed of.”



WEB COPY

W.A.(MD) No.415 of 2020

3. In view of the above, this writ appeal is disposed of with a direction to the appellants to consider the case of the first respondent / writ petitioner in terms of the above order of the Apex Court. No costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.]

[V.L.N., J.]

12.10.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To:

The Principal Secretary,
Public Works Department (PWD),
Secretariat, Fort St.George,
Chennai.



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W.A.(MD) No.415 of 2020

S.M.SUBRAMANIAM, J.
and
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