

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.03.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16247 of 2020

and

W.M.P.(MD)Nos.13582 & 13584 of 2020

R.Karolin Vasanthi

... Petitioner

Vs.

2.The Joint Registrar of Co-operative Societies,
District Recruitment Bureau,
Trichy District.

... Respondent

(This Court vide order dated 23.03.2023 in
W.M.P.(MD)No.13376 of 2021 deleted the first respondent
from the cause title)

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the notification issued by the second respondent in Advertisement No.4 of 2020 dated 12.03.2020 and consequential notification published in daily newspaper in Advertisement No.5 of 2020, dated 29.10.2020 and quash the same as illegal insofar not considering the applications submitted pursuant to the notification issued by the second respondent in Advertisement No.2/2019, dated 28.08.2019, consequently, directing the second respondent to permit the petitioner to appear for the examination scheduled to be held on 28.11.2020 to fill up the post of Assistant in Co-operative, Trichy District of Central Bank.

For Petitioner : Mr.T.Lenin Kumar

For Respondent : Mr.K.J.Selvaganesan
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The writ petitioner holds B.Com degree. She also underwent diploma course in Co-operation. When the second respondent issued notification No. 2/2019 dated 28.08.2019 calling for applications from the eligible candidates to fill up the post of Assistant in Trichy District Central Co-operative Bank, the petitioner applied in response thereto. Subsequently, the said notification was withdrawn and a revised advertisement No.4 of 2020 was published on 12.03.2020. In the said notification, it was clearly mentioned that those who had applied in response to the earlier notification will have to re-apply. It was made clear that unless they re-apply, the earlier application will not be taken into account. Concession was given to the effect that the applicants need not remit any fee if they had already remitted in response to the earlier notification. It appears that the petitioner did not notice the new notification. She therefore failed to apply afresh. Hence, she was not allowed to write the examination. Challenging the new notification and for directing the authority to permit her to appear for the examination, the writ petition came to be filed.

3. The Writ Petition was filed way back in the year 2020. Examination had been conducted on 28.11.2020. Selection process is also over. It is not possible for this Court to interfere at this point of time.

4. The learned Additional Government Pleader appearing for the respondents produced the copies of the notifications published in prominent tamil newspapers (namely Thinamalar and Thinathandhi). If the petitioner had omitted to notice the notifications, the department cannot be blamed. It is always open to the employer to withdraw a notification and issue revised notification. The applicant must be alert. The petitioner was not alert. No relief can be granted.

5. The Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

23.03.2023

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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