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W.P.No.6363 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.6363 of 2024 and
W.M.P.No.7086 of 2024

1. K.Soundarrajan
2. A.Navaneetham
3. CT.Unnamali

...Petitioners

-Vs-

- 1) The Secretary,
Tamilnadu Public Service Commission,
V.O.C.Nagar, Park Town,
Chennai.

- 2) The Commissioner of Agriculture,
Agriculture Directorate,
Chepauk,
Chennai.6

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus direction in the nature of writ directing the 2nd respondent to publish the revised seniority list on the basis of the merit list published by the 1st respondent for 514 candidates.

For Petitioner

: V.Sivalingam



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For Respondent 1 : Mr.Abrar Mohamed Abdullah
Standing Counsel
For Respondent 2 : Mr.K.Tamilvendan
Government Advocate

ORDER

This writ petition has been filed for direction to the 2nd respondent to furnish revised seniority list on the basis of the merit list published by the first respondent for 514 candidates.

2. The selection process for 520 posts of Agriculture Officer (Extension) was conducted by the first respondent and published the list of selected candidates on 12.03.2009. In the list they also published the reserved list for all categories. Since the number of persons failed to join the said post, the posts remained vacant. The said vacant post have been filled up from the reserved list. The petitioners were appointed from the reserved list to the post of Agricultural Officer (Extension). As per the seniority list is concerned department had followed merit list. But in-variably without following merit list they considered roster list as seniority list. The Hon'ble Supreme Court of India passed an order in contempt petition by



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fixing the date 10.03.2003 as cutoff date. The Hon'ble Supreme Court of India also observed in the case of ***Bimlesh Tanwar vs State of Haryana and others*** reported in ***2003 (5) SCC 604***. Accordingly, to complete the exercise for finalizing the seniority list for the selection process conducted after 10.03.2003 only on the basis of merit. Further directed that to complete the said exercise for finalizing the seniority list within a period of three months. Therefore, the petitioners made representations to publish the seniority list by including them as per marks obtained by selection process.

3. The learned counsel appearing on the side of the respondents submitted that as per the Section 27(f) 5th proviso of Tamilnadu Government Servants (Conditions of Service) Act, 2016 candidates appointed on the reserved list shall be placed below all the candidates appointed from the regular list in the same order in which vacancy have arising. Admittedly, the petitioners have appointed only from the reserved list to the post of Agricultural Officer (Extension).

4. Therefore, the request made by the petitioners cannot be



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considered. Hence, this writ petition is devoid of merits and liable to be dismissed. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

11.03.2024

(½)

Index : Yes/No
Internet: Yes/No
gvn

To

- 1) The Secretary,
Tamilnadu Public Service Commission,
V.O.C.Nagar, Park Town,
Chennai.
- 2) The Commissioner of Agriculture,
Agriculture Directorate,
Chepauk,
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G.K.ILANTHIRAIYAN,J.
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