



WP(MD) No.14016 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.06.2024**

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD) No.14016 of 2024
and
W.M.P(MD)No.12286 of 2024

M.Lakshmanan

... Petitioner

Vs.

1.The Chairman

Tamilnadu Public Service Commission,
TNPSC Road, VOC Nagar,
Park Town,
Chennai - 600 003.

2.The Secretary

Tamilnadu Public Service Commission,
TNPSC Road, VOC Nagar,
Park Town,
Chennai - 600 003.



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3.The Controller of Examinations,
Tamilnadu Public Service Commission,
TNPSC Road, VOC Nagar,
Park Town,
Chennai - 600 003.

....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents herein to include the name of the petitioner in the ongoing Physical Certificate Verification process for the post of Junior Cooperative Auditor within the category of MBC/DNC (General) as per Notification issued by the respondent commission in No.03/2022 dated 23.02.2022 by considering the representation of the petitioner dated 18.06.2024 and to appoint the petitioner in the post of Junior Cooperative Auditor.

For Petitioner : Mr.R.Karuppasamy

For Respondents : Mr.V.Panneer Selvam

Standing Counsel



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ORDER

The present writ petition has been filed seeking a Writ of Mandamus to direct the respondents herein to include the name of the petitioner in the ongoing Physical Certificate Verification process for the post of Junior Cooperative Auditor within the category of MBC/DNC (General) as per Notification issued by the respondent commission in No.03/2022 dated 23.02.2022 by considering the representation of the petitioner, dated 18.06.2024 and to appoint the petitioner in the post of Junior Cooperative Auditor.

2. Heard Mr.R.Karuppasamy, learned counsel for the petitioner and Mr.V.Panneer Selvam, learned Standing Counsel appearing for the respondents.

3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.



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4. As per the contention of the petitioner, the petitioner has been called for the physical certificate verification to be held on 13.06.2024. The petitioner could not appear in view of his health condition and hence, he sent a representation on 18.06.2024 and requested to allow him to come for physical certificate verification on some other date. Since the representation of the petitioner has not been considered by the respondents so far, the petitioner has filed this writ petition.

5. It is needless to point out that whenever a representation of this nature is made to a Government Authority, there is a duty cast upon the respondents to consider the same on its own merits and pass appropriate orders in one way or other, instead of keeping the same pending indefinitely. As such, non-consideration of the representation by the Government Authority would amount to dereliction of duty. The failure on the part of the authority had prompted the petitioner to file this petition for seeking relief through issuance of Writ of Mandamus. As the petitioner has



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made out a case for invoking the extraordinary powers of this Court under Article 226 of the Constitution of India, the respondents are required to be given with a direction to consider the representation of the petitioner within a specified time frame.

6. In the light of the above, there shall be a direction to the respondents to call for the petitioner for certificate verification within a week and then pass orders on the representation of the petitioner, dated 18.06.2024 on its own merits and in accordance with law within a period of one week thereafter.

7. With the above direction, the Writ Petition stands **disposed of**. No costs. Consequently, connected miscellaneous petition is closed.

28.06.2024

Index : Yes / No

Internet : Yes / No

NCC : Yes / No

RM

Note : Issue order copy on 28.06.2024



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To

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R.N.MANJULA, J.

RM

Order made in
W.P.(MD)No.14016 of 2024

28.06.2024