



W.P.(MD)No.22818 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2024

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.22818 of 2024

K.Pratheep Kumar

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Represented by its Secretary to Government,
Human Resource and Management Department,
St.George Fort,
Chennai – 600 009.

2.The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, Boardway,
Chennai -9.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent herein to forward the provisionally selected petitioner under 5% ex-serviceman category in Notification No.3/22, dated 23.02.2022 to the first respondent and consequently direct the first respondent to issue an order of appointment to the petitioner by considering the representation sent by the petitioner, dated 15.09.2024.



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For Petitioner : Mr.Niranjana S.Kumar
For R1 : Mr.S.Shaji Bino
Special Government Pleader
For R2 : Mr.V.Panneerselvam
Standing Counsel

ORDER

The instant writ petition has been filed by the aspirant to the post of Accountant in Treasuries and Accounts Department seeking Mandamus to direct the second respondent to forward the provisionally selected petitioner under 5% ex-serviceman category in Notification No.3/22, dated 23.02.2022 to the first respondent and consequently direct the first respondent to issue an order of appointment to the petitioner.

2. A perusal of the type set of papers reveal that the second respondent has issued communication to the petitioner on 15.06.2023 indicating the fact that he has been provisionally selected to the above said post by direct recruitment. However, the second respondent has so far not forwarded the same to the first respondent so that the first respondent could not issue appointment order to the petitioner.



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3. The learned Standing Counsel for the second respondent submits that some of the in-service candidates have filed writ petitions challenging the rejections of not being considered under the ESM quota and these writ petitions were allowed and Writ Appeal Nos.1740 of 2024 etc... batch pending before the Division Bench of this Court. In view of the said pendency, the second respondent has so far not forwarded the provisionally selected list to the first respondent.

4. The learned Single Judge of this Court in W.P.Nos.25211 and 25744 of 2024 has passed an order, dated 11.09.2024 issuing a positive direction to the Tamil Nadu Public Service Commission to forward the list of provisionally selected candidates to the first respondent so that the first respondent has to issue appointment orders.

5. In view of the above said facts, the writ petition stands allowed. The second respondent is directed to forward the provisionally selected petitioner to the first respondent within a period of four weeks from the date of receipt of a copy of this order. It is made clear that any appointment order issued to the



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petitioner will be subject to the result of the W.A.No.1740 of 2024 etc...batch.

No costs.

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NCC:yes/no
Index:yes/no
Internet:yes/no
SN

To:

- 1.The Secretary,
The Government of Tamil Nadu,
Human Resource and Management Department,
St.George Fort,
Chennai – 600 009.
- 2.The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, Boardway,
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R.VIJAYAKUMAR, J.

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