



WEB COPY

WA No. 2981 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-06-2025

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.A. No. 2981 of 2021
and C.M.P. No.20260 of 2021**

The Member Secretary
Tamil Nadu Public Service
Commission, Frazeer Bazaar St, Voc
Nagar, Park Town, Chennai.

Appellant(s)

Vs

I. Thirumalaiswamy
S/o.P.Idumbaswamy, 1/109,
Vellaapanaickenpalayam Post, Via
Sulatanpet, Sulur Tk 641669
Coimbatore District.

Respondent(s)

PRAYER:- To set aside the order passed by this Court in W.P.No.4367 of 2020 dated 02.07.2021.

For Appellant : M/s.G.Hema
Standing Counsel

For Respondent : M/s.S.C.Vishwanth



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JUDGMENT**(Judgment of the Court was delivered by J.NISHA BANU, J.)**

The present Writ Appeal is filed to set aside the order passed by this Court in W.P.No.4367 of 2020 dated 02.07.2021.

2. Today when the matter is taken up for hearing, the learned Standing Counsel appearing for the appellant produced a copy of the order passed by the Hon'ble Supreme Court, dated 01.05.2023 in S.L.P.No.4357 of 2020 filed by the Tamil Nadu Public Service Commission, wherein, the Hon'ble Supreme Court had observed as follows:-

“3. Pursuant thereto, the petitioner – Tamil Nadu Public Service Commissioner, has taken a decision resolving to select and recommend the names of 62 candidates mentioned in Table I of the additional affidavit dated 28.04.2023 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 the Courts so far.”

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3. The learned Standing Counsel appearing for the appellant submitted that as per the order of the Hon'ble Supreme Court, the respondent has come into the zone of consideration and he was appointed to the post of Junior Assistant vide Memorandum of Tamil Nadu Public Service Commission dated 16.06.2023. Therefore, the prayer sought for in this Writ Appeal has become infructuous and hence, the same may be dismissed.

4. Recording the submission made by the learned Standing Counsel appearing for the appellant, this Writ Appeal is dismissed as infructuous. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

(J.NISHA BANU J.) (M.JOTHIRAMAN J.)

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