



W.P.(MD)No.18523 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.18523 of 2025

S.Muthuraja

... Petitioner

-VS-

1.Tamil Nadu Public Service Commission,
Represented by its Secretary,
Frazer Bridge Road, VOC Nagar, Park Town,
Chennai - 600 003.

2.The Principal Chief Conservator of Forests,
State Forest Head Quarters,
Guindy - Velachery Main Road,
Near Kannigapuram Check Post,
Guindy, Chennai – 32.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 and 2 to operate the reserve list and appoint the petitioner in the post Forest Guard with Driving Licence in Tamil Forest Subordinate Service pursuant to the Provisional Selection List issued by the first respondent, dated 24.04.2025, with the time period stipulated by this Court.

For Petitioner : Mr.T.Aswin Rajasimman

For R1 : Mr.V.Panneer Selvam
Standing Counsel



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For R2

: Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking a direction to the respondents 1 and 2 to operate the reserve list and appoint the petitioner to the post of Forest Guard with Driving Licence in the Tamil Nadu Forest Subordinate Service, pursuant to the Provisional Selection List issued by the first respondent, dated 24.04.2025, within the time period stipulated by this Court.

2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he has completed the Higher Secondary Course and is fully qualified for the post of Forest Guard with Driving Licence in the Tamil Nadu Forest Subordinate Service. Pursuant to the Notification dated 30.01.2024 issued by the first respondent, the petitioner applied for the Group - IV Examination and appeared in the written test with Hall Ticket No. 3208021075. The petitioner belongs to the Backward Class (BC) category and had secured 161.50 marks. Based on the marks secured, the petitioner was short-



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listed and he uploaded the certificates as per instructions; attended the physical test on 24.03.2025 and 25.03.2025 and he was also called for certificate verification on 17.04.2025, raising a legitimate expectation of selection. Further, the petitioner's name was included in the Provisional Selection List dated 24.04.2025 at Sl.No.188. However, at least two selected candidates in the same BC category, S.Raja (Sl.No.5) and Anandh (Sl.No.186), have not joined duty. Out of 209 notified vacancies, two posts remain vacant, as those selected failed to join. As per law, these vacancies must be filled from the reserve list. Despite submitting a detailed representation to the respondents 1 and 2, seeking appointment against the unfilled BC category vacancies, no action has been taken till date. Hence, the present Writ Petition.

4. Heard both sides.

5. It is needless to point out that whenever a representation of this nature is made to a Statutory Authority, there is a duty cast upon him 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



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representation by the Statutory Authority would amount to dereliction of duty and hence, this Court will be justified in invoking its extraordinary powers under Article 226 of the Constitution of India and direct them to consider the same within a stipulated time.

6. In the light of the above observations, there shall be a direction to the first respondent herein to consider the petitioner's representation dated 18.06.2025, on its own merits and pass appropriate orders in accordance with law, after giving due opportunity to the petitioner, within a period of two months from the date of receipt of a copy of this order. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the first respondent to consider the same on its own merits.

7. With the above directions, the Writ Petition stands disposed of. There shall be no order as to costs.

NCC : Yes / No
Index : Yes / No
smn2

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VIVEK KUMAR SINGH, J.

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