

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 30.04.2015

CORAM:

The Hon'ble Mr.Justice V.RAMASUBRAMANIAN
AND
The Hon'ble Mr.Justice T.MATHIVANAN

Writ Petition No. 13532 of 2015
and
M.P.Nos. 1 and 2 of 2015

K.Revathi

... Petitioner

Versus

The Secretary,
Tamil Nadu Public Service Commission
Frazer Bridge Road,
V.O.C. Nagar, Park Town,
Chennai-600 003.

... Respondent

Writ Petition filed under Article 226 of India for the issue of a Writ of Certiorarified Mandamus to call for the records in the details of the marks obtained by the candidates both in the written examination held on 01.11.2014 and 02.11.2014 and at the oral test held on 15.04.2015, 16.04.2015, 17.04.2015, 20.04.2015 and 21.04.2015 for appointment by direct recruitment to the post of the Civil Judge in the Tamil Nadu State Judicial Service for the year 2013-2014 in respect of Notification No.15/2014 published in the website of the respondent and quash the same as illegal, incompetent and without jurisdiction and further direct the respondent to conduct oral test for the petitioner.

For Petitioner : Mr.S.C.Vishwanth

For Respondents : Mr.P.H.Arvinth Pandian,
Addl. Adv. General assisted by
Ms.C.N.G.Niraimathi

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O R D E R
(Order of the Court was made by V.RAMASUBRAMANIAN,J)

The petitioner who belongs to the Most Backward Classes community and who had secured 194 marks in the written examination, has come up with the above writ petition, challenging her non selection on the ground that other candidates who had secured 194 marks in the same category were called for interview.

2. Heard Mr.S.C.Vishwanth, learned counsel for the petitioner and Mr.P.H.Arvinth Pandian, learned Additional Advocate General appearing for Ms.C.N.G.Niraimathi, learned Standing Counsel for Tamil Nadu Public Service Commission.

3. It is true that the petitioner had secured 194 marks in the written examination. It is also true that 194 is the cut-off mark for Most Backward Classes female candidates. But when persons were shortlisted in the ratio of 1:2, the petitioner could not be called for interview. This is due to the fact that persons who had secured the same cut-off mark and who were called for interview were elder in age than the petitioner. The information furnished by the Public Service Commission shows that the candidate who had secured 194 marks and who was called for interview was born on 16.3.1986. The petitioner was born on 5.4.1986.

4. Therefore, the omission of the respondent to call the petitioner for interview is in accordance with the Rules of Practice framed by the Public Service Commission. Hence, the writ petition is dismissed. There will be no order as to costs. Consequently, M.P.No. 1 and 2 of 2015 are closed.

Sd/-
Assistant Registrar(CS IV)

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To

Sub Assistant Registrar

The Secretary, Tamil Nadu Public Service Commission
Frazer Bridge Road, V.O.C. Nagar,
Park Town, Chennai-600 003.

W.P.No. 13532 of 2015
and
M.P.Nos. 1 and 2 of 2015

CNR(CO)
CA(08/06/2015)