

In the High Court of Judicature at Madras

Dated: 17.6.2015

Coram:

The Hon'ble Mr.Justice V.Ramasubramanian
and
The Hon'ble Mr.Justice T.Mathivanan

Writ Petition Nos.14247 & 14248 of 2015

1.M.Hariramakrishnan .. Petitioner in WP 14247/2015
2.T.Arun Kumar .. Petitioner in WP 14248/2015

vs.

The Secretary,
Tamil Nadu Public Service Commission,
Chennai. ... Respondent in both

Prayer: Writ Petitions are filed to issue writs of mandamus directing the respondent to call the petitioners for oral test for appointment by direct recruitment to the post of Civil Judge [schedule caste] in the Tamil Nadu State Judicial Service for the year 2013-2014, and issue appointment order to the petitioners to the post of Civil Judge [S.C.].

For petitioners : G.Murugendran

ORDER

[by V.Ramasubramanian]

The petitioners, who participated in the selection for appointment to the post of Civil Judges-Junior Division, have come up with these Writ Petitions seeking a mandamus to direct the respondents to call them for viva-voce.

2. Heard Mr.G.Murugendran, learned counsel for the petitioners.

3. The Tamil Nadu Public Service Commission [TNPSC] issued a Notification for direct recruitment of 162 Civil Judges, on 26.8.2014. The petitioners, who belong to Scheduled Caste, applied.

4. The examinations were conducted in four papers and the petitioners participated. While the petitioner in WP 14247/2015 secured a total of 204 marks, the petitioner in the other WP 14248/2015 secured a total of 197 marks. Since the cut-off mark

for the Scheduled Caste was 207, both of them were not called for the interview. Therefore, they have come up with the above Writ Petitions.

5. In a batch of Writ Petitions in WP 10069/2015 etc. cases, which we had an occasion to deal with and dispose of on 30.4.2015, we have pointed out that the TNPSC adopted the policy of inviting twice the number of candidates for viva-voce from each category, on the basis of a prescription contained in Annexure-II to the Tamil Nadu State Judicial Service [Cadre and Recruitment] Rules, 2007, which also was incorporated in the Annexure to the Notification issued by the TNPSC. We have upheld the prescription by our common order dated 30.4.2015.

6. It is admitted by the petitioners themselves that out of 23 vacancies reserved for the Scheduled Caste, 16 fell for the quota for male candidates and that 37 candidates were invited for viva-voce. The last of the candidates invited for viva-voce among the Scheduled Caste males had secured 207 marks. The petitioners had respectively secured 204 and 197 marks in the written examination. Therefore, the action of the TNPSC in not inviting the petitioners for viva-voce, is in accordance with the statutory prescription, which was also found in the Notification. Hence, the Writ Petitions stand dismissed. No costs. M.P.Nos.1 and 2 of 2015 are closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

gs.

To

The Secretary,
Tamil Nadu Public Service Commission,
Chennai.

2 ccs to Mr.G.Murugendran, Advocate, sr. 29714, 29715

WP Nos.14247 & 14248 of 2015

TEJ (CO)
kk 30/6