

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.07.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

WP.No.20579 of 2016
WMP.Nos.17688 and 17689 of 2016

F.Sarifa

... Petitioner

Vs

Tamil Nadu Public Service Commission
by its Secretary, Chennai-3

.... Respondent

Prayer:- This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Declaration, declaring the action of the Respondent in not following the rule of reservation in respect of backward class (muslim) as contemplated in notification no.09/2015 dated 10.7.2015 by not calling 250 candidates from among backward class (muslim) candidates who had attended the preliminary examination for the main written examination for the 5 vacancies (one vacancy in Deputy Collector, Superintendent of Police (Category I), Assistant Commissioner (Commercial Tax), District Registrar and Deputy Superintendent of Police (category I) for persons studied in Tamil medium which are included in Combined Civil Services I (Group Services) as illegal, arbitrary and contrary to law and consequently to direct the Respondent to call 250 candidates from among backward class (muslim) for main written examination.

For Petitioner : Mr.Balan Haridas

For Respondent : Mrs.Niraimathi

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ORDER

This Writ Petition is filed to issue a Writ of Declaration, declaring the action of the Respondent in not following the rule of reservation in respect of backward class (muslim) as contemplated in notification no.09/2015 dated 10.7.2015 by not calling 250 candidates from among backward class (muslim) candidates who had attended the preliminary examination for the main written examination for the 5 vacancies (one vacancy in Deputy Collector, Superintendent of Police (Category I), Assistant Commissioner (Commercial Tax), District Registrar and Deputy Superintendent of Police

(category I) for persons studies in Tamil medium which are included in Combined Civil Services I (Group Services) as illegal, arbitrary and contrary to law and consequently to direct the Respondent to call 250 candidates from among backward class (muslim) for main written examination.

2. This court heard the learned counsel on either side and also perused the materials placed on record.

3. According to the Petitioner, there are 5 vacancies for BC (Muslim) candidates, for which the Respondent should have called for 250 candidates in the ratio of 1:50 and in the results published for the preliminary examination, her name was not included and she should have come within the 250 candidates reserved for BC (Muslim).

4. On instructions, the learned counsel for the Respondent has categorically stated that they have called for 294 candidates for the 5 posts reserved for BC (Muslim) to take up the main written examination and the Petitioner has scored marks lesser than the marks obtained by the last BC (M) candidate and further as some of them got equal marks, her name was not included and hence, the prayer in this Writ Petition is not maintainable. In view of the said submissions, recording the same, this Writ Petition is closed. No costs. Consequently, the connected MPs are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Srcm

To

The Secretary,
Tamil Nadu Public Service Commission
Chennai-3.

+1cc to Mr.Balan Haridas, Advocate, S.R.No.40304

WP.No.20579 of 2016

AD(CO)
CA(02/08/2016)