

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.27422 of 2017

G.Srinivasan

.. Petitioner

-vs-

1. State of Tamil Nadu rep by
Secretary to the Government
Personnel and Administrative Reforms Department
Fort St.George
Chennai 600 009
2. The Chairman
Tamil Nadu Public Service Commission
VOC Nagar, Park Town
Chennai 600 003
3. The Secretary
Tamil Nadu Public Service Commission
VOC Nagar, Park Town
Chennai 600 003 .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the second and third respondents to strictly adhere to G.O.Ms.145 to persons claiming preferential treatment of appointment as PSTM candidates, and securitizing their application and give preference only if they are fresh appointee to the said post and reject the preferential treatment to the Departmental candidate applications.

For Petitioner :: Ms.Vedavallikumar

For Respondents:: Mr.V.Jayaprakash Narayanan
Special Government Pleader for R1
Dr.M.Devendran for R2 & 3

ORDER

This writ petition has been filed seeking a writ of mandamus, directing the Chairman and Secretary of Tamil Nadu Public Service Commission to strictly adhere to G.O.Ms.No.145 to persons claiming preferential treatment of appointment as PSTM

candidates and securitize their applications and thereafter give preference only if they are fresh appointees to the said post and also reject the preferential treatment to the departmental applicants.

2. Learned counsel for the petitioner submitted that when the respondents 2 & 3 have issued the notification inviting applications for the post notified and falling under the Group-I services, the Tamil Nadu Public Service Commission, having reserved 20% vacancies in favour of the PSTM candidates, the same should be given exclusively only to the fresh candidates, but not to the departmental candidates. The reason is that when they have already entered the services of the State Government under the PSTM category, once again they are not entitled to enjoy the same benefit.

3. This Court is unable to find any merit in the said contentions. The reason is that if a person is already working in any of the departments of the State Government, he is entitled to apply for any of the posts called for under the Group-I services are concerned, as a fresh candidate. Secondly, when 20% reservation is given to all Tamil medium students who are going to apply to the posts falling under the Group-I services, the petitioner cannot seek any direction to discriminate among the Tamil medium students, whether they are fresh or the candidates working in the department. Therefore, this Court is not inclined to entertain the writ petition. Accordingly, the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

ss
To

1. The Secretary to Government
Personnel and Administrative Reforms Department
Fort St.George
Chennai 600 009

2. The Chairman
Tamil Nadu Public Service Commission
VOC Nagar, Park Town
Chennai 600 003

3. The Secretary

Tamil Nadu Public Service Commission
VOC Nagar, Park Town
Chennai 600 003

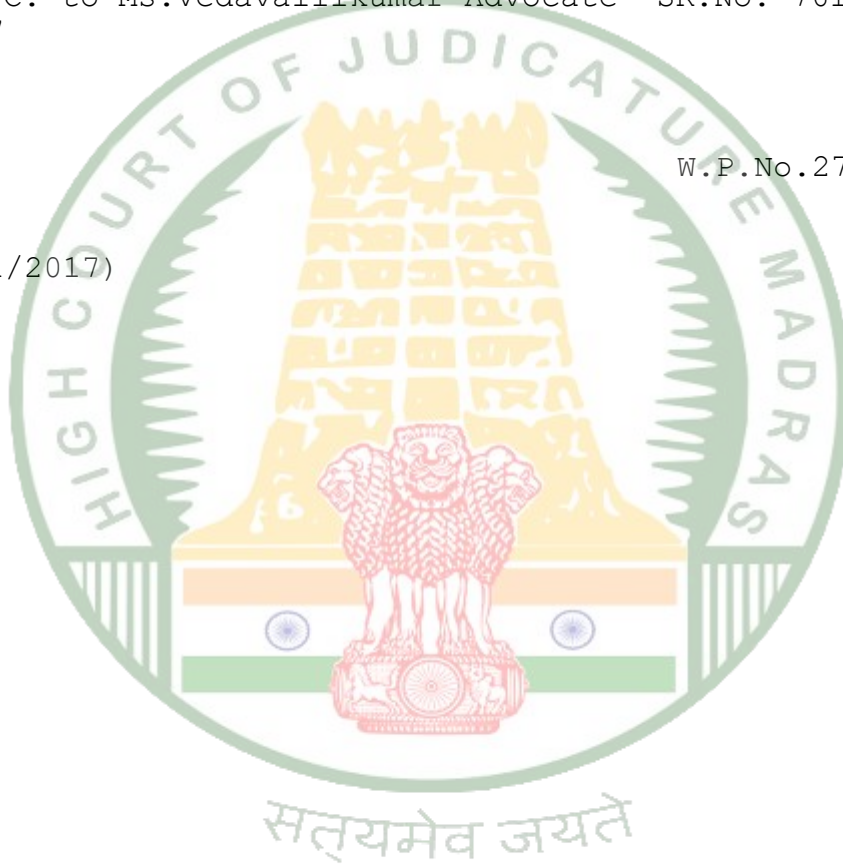
+1 C.C. to M/S.Dr.M.Devendran Advocate SR.No. 76562
DT.30/10/2017

+1 C.C. to The Government Pleader SR.No. 76390 DT.30/10/2017

+2 C.C. to Ms.Vedavallikumar Advocate SR.No. 76195 DT.
27/10/2017

W.P.No.27422 of 2017

AD(CO)
T.R (16/11/2017)



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