

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.28994 of 2017 and
WMP Nos.31227 to 31229 of 2017

V.Lekha

.. Petitioner

-vs-

1. The Secretary,
Personnel & Administrative Reforms Department,
Fort St.George, Chennai - 600 009
2. The Member Secretary,
Tamilnadu Public Service Commission,
Frazer Bridge Road,
V.O.C.Nagar, Park Town,
Chennai - 600 003
3. The Controller of Examinations
Tamilnadu Public Service Commission,
Frazer Bridge Road,
V.O.C. Nagar, Park town,
Chennai - 600 003 .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of certificate verification published on 26.10.2017 in respect of not selected persons for the post of Assistant Director of Industries and Commerce (Industrial Co-operatives) by the 3rd respondent herein and quash the same as arbitrary, illegal null and void and consequently direct the 3rd respondent to publish the results of the written exams conducted on 16.07.2017 as per notification no.9/2017 dated 15.03.2017 and to permit the petitioner to participate in the selection process for the post of Assistant Director of Industries and Commerce (Industrial co-operatives) conducted by the 3rd respondent.

For Petitioner :: Mr.G.Murugendran

For Respondents :: Mr.R.A.S.Senthilvel for R1
Additional Government Pleader

Mr.M.Loganathan for R2 and R3

O R D E R

The petitioner has come to this Court seeking a Writ of Certiorarified Mandamus by calling for the records relating to the impugned order of certificate verification published on 26.10.2017 in respect of not selected persons for the post of Assistant Director of Industries and Commerce (Industrial Co-operatives) by the 3rd respondent herein and quash the same as arbitrary, illegal null and void and consequently direct the 3rd respondent to publish the results of the written exams conducted on 16.07.2017, as per notification no.9/2017 dated 15.03.2017 and to permit the petitioner to participate in the selection process for the post of Assistant Director of Industries and Commerce (Industrial co-operatives) conducted by the 3rd respondent.

2. Learned counsel appearing for the petitioner by drawing the notice of this Court to the communication dated 26.10.2017 contended that the petitioner have almost secured 300 marks, but before even holding the interview, the respondents should not have released the provisional list of selected candidates. He would further draw the attention of this Court to the Notification dated 15.03.2017 issued by the Secretary of the Tamilnadu Public Service Commission in Sl.No.7: 'Scheme for Written Examination (Objective TYPE) (OMR Method) and Oral Test', wherein it is mentioned that for Interview and Record: 70 marks. Hence, counsel for the petitioner would contend that the petitioner would get (300+70) 370 marks and that she could be selected easily in the said post. However, petitioner's name does not find place in the order, (calling for certificate verification) issued by the 3rd respondent dated 26.10.2017. Hence, challenging the same, the petitioner has come to this Court.

3. It is, at this stage, this Court, directed the learned standing counsel appearing for the respondents to take written instructions with regard to the cut off marks and the marks obtained by the last selected candidate.

4. In compliance with the direction issued by this Court, today, learned counsel for the respondents produced a sealed cover, which was received from the respondents. A careful

perusal of the document produced in the sealed cover would reveal that the petitioner has secured 248 marks in the written examination and the cut off mark fixed on General Category (Women) is 333 and Backward Caste (General) is 346.50. Even assuming that the said 70 marks, which is meant for Interview and Record, is given to the petitioner, she may not be selected. Therefore, this Court does not find any justification to entertain the Writ Petition and the same stands dismissed. Consequently, connected miscellaneous petitions are closed. No costs.

Sd/-
Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

ssd
To

1. The Secretary,
Personnel & Administrative Reforms Department,
Fort St.George, Chennai - 600 009

+1cc to Mr.G.MURUGENDRAN Advocate, S.R.No. 81125/2017
+1cc to the Government Pleader, S.R.No. 81694/2017

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TR(14/12/2017)

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