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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2018

CORAM:

THE HON'BLE MR.JUSTICE HULUVADI G.RAMESH
and
THE HON'BLE MR.JUSTICE RMT.TEEKAA RAMAN

Review Application No.82 of 2018
in
W.A.No.72 of 2018

S.P.Murugan

... Petitioner

.. Vs ..

1. The Secretary to Government,
Personal and Administrative Reforms Department,
Fort St. George, Chennai - 600 009.
2. The Chairman,
Tamil Nadu Public Service Commission,
Frazer Bridge Road, V.O.C. Nagar,
Park Town, Chennai - 600 003.
3. The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road, V.O.C. Nagar,
Park Town, Chennai - 600 003.
4. The Controller of Examination,
Tamil Nadu Public Service Commission,
Frazer Bridge Road, V.O.C. Nagar,
Park Town, Chennai - 600 003.

... Respondents

Prayer: Review Application filed under Order 47 Rule 1 & r/w. 114 of C.P.C. to review the order passed by this Court dated 05.02.2018 in W.A.No.72 of 2018.

W.A.No. 72/2018:

Writ Appeal filed under Clause 15 of the letters Patent, against the order dated 12.10.2017 passed by this court in W.P.No.21161 of 2017.

W.P.No.21161 of 2017:

Writ Petition filed under Article 226 of the constitution of India seeking a Writ of Mandamus directing the respondents 2 to 4 to adopt the procedure of 1.50 ratio for



Writing the main examination for Group 1 to be held on 13.10.2017 to 15.10.2017 or subsequent dates in the place of candidates who failed to succeed certificate verification for Writing examination.

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For Petitioner : Mr.C.Prakasam

For R-1 : Mr.P.S.Siva Shanmuga Sundaram,
Special Government Pleader

For RR-2 to 4 : Mr.M.Loganathan,
Standing Counsel for TNPSC

ORDER

(Order of the Court was made
by HULUVADI G.RAMESH, J.,)

This review application has been filed by the petitioner seeking to review the order passed by this Court in W.A.No.72 of 2018 dated 05.02.2018.

2. Heard Mr.C.Prakasam, learned counsel appearing for the review petitioner and Mr.P.S.Siva Shanmuga Sundaram, learned Special Government Pleader appearing for the first respondent and Mr.M.Loganathan, learned Standing Counsel appearing for respondents 2 to 4.

3. This Court, in paragraph Nos.7 and 8 of the judgment passed in W.A.No.72 of 2018, has observed as follows:-

"7. It appears that as per the policy decision, the Tamil Nadu Public Service Commission has taken a decision to follow the ratio of 1:50 for writing the main examination and as such, looking into various aspects, it has fixed the ratio as 1:50. The demand of the Government appears to be accommodated and it cannot be often changed at the instance of beneficiaries and it cannot be extended from time to time and such decision taken neither shown to be arbitrarily nor discriminatory. Hence, the writ appeal is liable to be dismissed.

8. In view of the above said reasons, the Writ Appeal is dismissed confirming the order passed by the learned Single Judge in W.P.No.21161 of 2017, dated 12.10.2017. Consequently, the connected miscellaneous petitions are closed. No costs."

4. Learned counsel appearing for the review petitioner would contend that the decision taken by the Tamil Nadu Public Service Commission to follow the ratio of 1:50 for writing the main examination has been overlooked when many of the students have not turned up for the examination and therefore, in their



absence, suitable number of persons to be further invited to write the examination. The same contention has been raised at the time of final hearing of the writ appeal and the same has been negatived holding that the policy of the Government cannot be changed often at the instance of the beneficiaries. Except this point, no other point has been urged by the learned counsel appearing for the review petitioner. Taking note of the fact that in the review application, the same point cannot be re-agitated in the absence of any irregularity or illegality, we do not find any reason to entertain the review application.

5. In this view of the matter, the review application stands dismissed.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

Jrl
To

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

+1 CC to Mr.C. Prakasam, Advocate sr 31720.

Review Application No.82 of 2018

RV(CO)
SP(03/07/2018)