

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.01.2018

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The Honourable Mr.Justice T.RAJA

W.P.No.1103 of 2018
and W.M.P.No.1364 of 2018

M.Silamparasan

.. Petitioner

-vs-

The Secretary and
Controller of Examinations,
Tamilnadu Public Service Commission,
Chennai 600 003.

.. Respondent

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus to direct the respondent to consider the petitioner's representation dated 11.01.2018 and permit the petitioner to appear for the interview on 19.01.2018 for the category of General.

For Petitioner : Mr.V.Perumal

For Respondent : Dr.M.Devandran
Stng. Counsel

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O R D E R

This petition has been filed seeking mandamus directing the respondents to consider the representation dated 11.01.2018 made by the petitioner and permit him to appear for interview on 19.01.2018 in the general category for the post of Executive Officer in the Hindu Religious and Charitable Endowment Department (HR&CE Dept., in short).

2.Learned counsel appearing for the petitioner would submit that the respondent herein has issued a notification bearing No.21/2016 on 25.11.2016 inviting application from the eligible candidates for the post of Executive Officer in the HR & CE Department through on-line mode till 24.12.2016, making it clear that the candidates who are professing the Hindu religion only can apply. The petitioner applied for the post through on-line and submitted his application. Based on his application and the documents, the petitioner was called for the written

examination held on 10.06.2017 for the post of Executive Officer Grade III. Accordingly, he has also taken part in the written examination. Thereafter, he was issued with a call letter dated 10.11.2017 for certificate verification fixing the date for verification on 20.11.2017 at about 2.30 p.m. in the office of the respondent. Therefore, even though the writ petitioner was invited to take part in the certificate verification to be held on 20.11.2017, subsequently, the respondent has issued a provisional selection list dated 09.01.2018 for Oral Test, without showing the name of the petitioner.

3.Learned counsel appearing for the petitioner submitted that when the petitioner has secured more marks in the written examination than the cut-off mark fixed by the respondent for the General Category, it is not open to them to deny appointment.

4.When the Court posed a question to the learned counsel appearing for the petitioner as to what is the mark secured by the petitioner, which is above the cut-off mark, he is unable to reply what is the cut-off mark and the mark secured by the petitioner.

5.However, the learned Standing Counsel appearing for the respondent/TNPSC, drawing the notice of this Court to the provisional selection list for Oral Test published by the TNPSC, submitted that the provisionally selected candidates are shown in the list based on their marks obtained in the written examination held on 10.06.2017 and therefore, the petitioner, having not secured the minimum cut-off mark, has not come within the zone of consideration and hence, his name is not shown in the list.

6.Finding merits on the submission made by the learned Standing Counsel for the respondent, this Court is not inclined to entertain the writ petition.

The writ petition is, accordingly, dismissed. No costs. Consequently, W.M.P.No.1364 of 2018 is also dismissed.

Sd/-

Assistant Registrar (CS-)

//True Copy//

Sub Assistant Registrar

sra

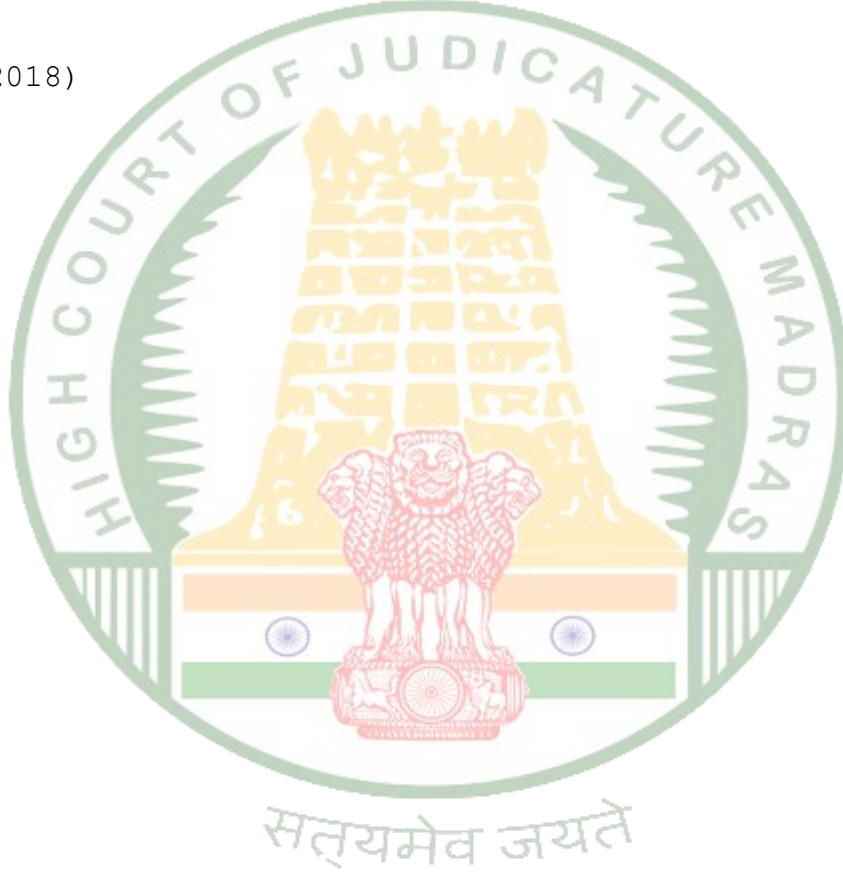
To

The Secretary and
Controller of Examinations,
Tamilnadu Public Service Commission,
Chennai 600 003.

+1cc to Mr.V.PERUMAL, Advocate, S.R.No. 3730

W.P.No.1103 of 2018

NRI (CO)
TR(08/02/2018)



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