

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.

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 negated 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.

[H.G.R.,J.] [T.K.R.,J.]

सत्यमेव जयते 27.04.2018

Index : Yes/No

Internet: Yes

Jrl

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To

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HULUVADI G.RAMESH,J.
AND
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