

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.01.2018

CORAM:

THE HON'BLE MR. JUSTICE T. RAJA

W.P. No.34350 of 2017 & W.M.P. No.38202 of 2017

Dr. P. Santhosh

Petitioner

vs.

1 Government of Tamil Nadu
represented by the Secretary to Government
Personnel & Administration Department
Fort St. George
Chennai 600 009

2 The Chairman
Tamil Nadu Public Service Commission
Frazer Bridge Road
V.O.C. Nagar
ParkTown
Chennai

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of declaration declaring the Notification No.49/2012 dated 16.11.2012, pursuant to substituting advertisement No.337 dated 31.12.2012 as null and void and direct the second respondent to follow the earlier notification which was prior to notification dated 16.11.2012.

For petitioner Mr. P. Tamilavel

For R1 Mr. V. Jayaprakash Narayanan
Special Government Pleader

For R2 Dr. M. Devendran
Standing Counsel

ORDER

Mr. V. Jayaprakash Narayanan, learned Special Government Pleader, accepts notice for the first respondent. Dr. M. Devendran, learned Standing Counsel, accepts notice for the second respondent.

2 By this writ petition, the petitioner seeks to declare notification no.49 of 2012 dated 16.11.2012 issued by the Tamil Nadu Public Service Commission, pursuant to substituting advertisement no.337 dated 31.12.2012, as null and void and to

direct the second respondent to follow the earlier notification, which was prior to notification dated 16.11.2012.

3 By notification no.49 of 2012 dated 16.11.2012, the Tamil Nadu Public Service Commission invited applications for the posts of Deputy Collector, Deputy Superintendent of Police, Assistant Commissioner (C.T.), District Registrar and District Employment Officer. However, by advertisement no.337 dated 31.12.2012, it was notified that the syllabus and scheme of examination for Group I services recruitment notified in paragraph 6 of the notification dated 16.11.2012 stands substituted as mentioned therein.

4 The learned counsel for the petitioner submitted that after completing XII standard in 2008, the petitioner, having studied Hindi, English, Physics, Chemistry, Biology and Computer Science, joined MBBS course in Meenakshi Medical College, Kancheepuram; after completing MBBS degree in 2016, he wrote Group I examination; since the syllabus followed before 2012 has been changed and new syllabus has been introduced, the petitioner has been put to great difficulty; therefore, a direction should be issued to the Tamil Nadu Public Service Commission not to make any change whatsoever in future, which would have a far-reaching impact on the students who are preparing for the Group I service; the reason is before 31.12.2012, the syllabus for Group I preliminary examination was relating to only Science, Economics, Political History, Current Affairs and Geography; on the basis of the above old syllabus, many students from various branches were selected; while so, after 31.12.2012, the Tamil Nadu Public Service Commission introduced a new syllabus in the name of bringing in reforms without consulting the students; in view of the change in the syllabus and the pattern of examination, questions were asked only at the degree level, which could not be answered by any of the non-Engineering students; as a matter of fact, the syllabus has been modified only to favour the students having Mathematics background; since the petitioner is a non-Mathematics student, his hopes and aspirations to become a Group I officer have been completely shattered; therefore, the modification of the scheme in the name of bringing in reforms is purely arbitrary and absurd and hence, the present writ petition seeking the aforementioned relief.

5 This Court is at a loss to understand as to how the petitioner can call in question the propriety of the notification after five long years. Although an explanation is offered before this Court that the petitioner has come to know only recently and therefore, he has filed the present writ petition, it is not known as to how a candidate who is ambitious of becoming a Group I officer has miserably failed to think that what would happen to all the candidates selected pursuant to the

said notification issued in the year 2012 and who, as per the assessment of this Court, would have subsequently even been promoted to higher posts now. Therefore, on the ground of laches alone, this Court is not inclined to entertain this writ petition.

Resultantly, this writ petition fails as being devoid of merits and stands dismissed accordingly. Costs made easy. Connected W.M.P. is closed.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

cad

To

1 The Secretary to Government
Personnel & Administration Department
Government of Tamil Nadu
Fort St. George
Chennai 600 009

2 The Chairman
Tamil Nadu Public Service Commission
Frazer Bridge Road
V.O.C. Nagar
ParkTown
Chennai

+ 1 cc to Mr. P. Tamilavel Advocate, SR.838

+ 1 cc to Dr. M. Devendran Advocate, SR.1251

+ 1 cc to The Govt.Pleader, SR.1452

W.P. No.34350 of 2017

nr 07/02/2018

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