

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 27.02.2018****CORAM****THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM****W.P. (MD) No.13337 of 2013****WEB COPY**

R.Pandiammal

... Petitioner

-vs-

1. The State of Tamil Nadu,
represented by its Chief Secretary,
Fort St.George,
Chennai-09.

2. The Secretary,
Tamil Nadu Public Service Commission,
Chennai-2.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to appoint the Petitioner to any post in Group IV service as per her qualification in the existing vacancies within the time stipulated by this Court.

For Petitioner : M/s.T.Lajapathi Roy

For Respondent-1 : Mr.V.P.M.Vaishnavi
Government Advocate

For Respondent-2 : Mr.K.K.Senthil

O R D E R

The relief sought for in this Writ Petition is to direct the respondents to appoint the Petitioner to any post in Group IV service as per her qualification in the existing vacancies.

2.The Writ Petitioner participated in the process of selection of Group IV Posts. The applications were invited from the eligible candidates for appointment to the post of Junior Assistant(Non-Security), Junior Assistant(Security), Bill Collector, Draftsman and Typist. The Petitioner submitted her application and participated in the process of selection. However, the Petitioner was not selected. Thus she was constrained to move the present Writ Petition.

3.The learned counsel for the Writ Petitioner states that the Writ Petitioner had successfully participated in the selection and therefore, she would have been appointed in any one of the



eligible posts. Except certain general grounds, there is no specific averment in the affidavit in respect of any irregularity, illegality or malpractice in the selection. Thus this Court cannot interfere with the selection process.

4. The learned counsel for the second respondent/TNPSC states that the Writ Petitioner was not selected and more specifically, she had secured less marks and not reached the zone of consideration. In this regard, the details in respect of the Writ Petitioner are found in paragraphs 3 and 4 of the counter affidavit are extracted hereunder:

"3. It is submitted that the Petitioner has filed the Writ Petition praying to appoint her to any post in Group-IV Services as per her qualification in the existing vacancies within the time stipulated by Court.

In this connection, it is submitted that the Petitioner Tmt.R.Pandiammal (Reg.No.16401080) had attended the Steno-typist Counselling and she was not considered to the said post as she was not qualified to the post of Steno-Typist and she has given a letter to consider her for the post of Junior Assistant based on her qualification. She had secured 144.00 marks. The Petitioner belongs to MBC/DC Women Category. The cut off marks for MB/DC(W) is 208.50 for the post of Junior Assistant in the V Phase of counselling.

She does not reach the zone of selection for the post of Junior Assistant and hence the prayer of the Petitioner is liable for dismissal.

4. In this connection, it is also submitted that the Petitioner had applied for the recruitment to the post of Steno-typist, Grade-III in Group-IV Services 2007-2008 to 2012-2013.

Notification for the recruitment of Steno-typist, Grade-II in Group-IV Services 2007-2008 to 2012-2013 was issued on 27.4.2012. The total No. of vacancies notified for this recruitment is 1128. The total number of revised vacancies for this recruitment is 1036. The last date for receipt of applications from the candidates was 28.5.2012. The written examination was held on 7.7.2012. The Written Examination results were published on 8.10.2012. The total number of candidates called for counselling actually for the post of Steno-Typist is 1154, and the counselling was held on 20.11.2012. The qualification and Technical qualification of the Petitioner is B.A. Type writing English Senior Grade. The marks secured by the Petitioner is 144.00, communal category of the Petitioner is MBC-DC(W). The marks secured by the last candidate in the relevant communal category are as follows:

MBC/DC(G)-4 Hr-HSC/Dip-06.06.94-108.00

MBC/DC(G)-4 PSTM-4 Hr.PG-25.05.74-106.50

MBC/DC(W)-4 Hr-HSC/DIP-11.07.93-100.50

<https://hcservices.eas.in> MB/DC(W) PSTM-3 Hr, 1 Jr-PG Degree-01.05.1981-195.00

It is submitted that the Petitioner R.Pandiammal has passed Typewriting English Higher Grade only. She does not possess



Shorthand Qualification. Hence the candidate has not been considered for selection to the post of Steno-Typist, Grade-III, included in Group-IV Services 2012-2013 recruitment.

5. In view of the fact that the Writ Petitioner has not secured the required cut off marks and not came within the zone of consideration, the relief as such sought for in this Writ Petition cannot be granted.

6. Accordingly, the Writ Petition stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar

To

1. The Chief Secretary,
Government of Tamil Nadu,
Fort St. George,
Chennai-09.
2. The Secretary,
Tamil Nadu Public Service Commission,
Chennai-2.

+1cc to Mr.T.Lajapathi Roy, Advocate Sr.No.51696
+1cc to Mr.K.K.Senthil, Advocate Sr.No.51799
+1cc to Spl.Government Pleader Sr.No.52014

VSN

VB/CVC/SAR2/13/03/2018/3P/6C

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