

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.01.2019

CORAM

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN
and
THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.18877 of 2012

V.Balasubramanian

... Petitioner

Versus

1. The Secretary,
Tamil Nadu Public Service Commission,
Chennai-600 005.

2. The Secretary,
Department of Personnel and Administrative Reforms,
Government of Tamil Nadu,
Chennai-600 009.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Declaration declaring the Group I preliminary examination conducted by the Tamil Nadu Public Service Commission pursuant to its advertisement No.257 dated 29.12.2010 and the consequential preliminary examination conducted on 05.06.2011 including the results published on 18.05.2012 is illegal and ultra vires to Articles 14 and 16 of the Constitution of India, in so far as it violates the quantitative restriction of 50% reservation prescribed by the Supreme Court of India without eliminating the creamy layer, providing 20% preferential reservation for Tamil Medium students on the basis of Act 40 of 2010 and the rule made thereunder and violating the Supreme Court judgment in Civil Appeal No.297 of 2008 dated 25.04.2008 in providing excess of horizontal reservation restricting the quota for open competition, providing reservation at the stage of preliminary examination against the judgment of the Supreme Court in Civil Appeal No.2244 of 2009 dated 08.04.2009 and set aside the same and consequently permit the petitioner to appear for the main written examination under the TNPSC Group I to be conducted in accordance with the procedure and law laid down by the Apex Court.

For Petitioner : M/s.K.M.Vijayan Associates

For Respondents : Ms.C.Niraimadhi,
Standing Counsel for R1

Mr.E.Manoharan,
Additional Government Pleader for R2

O R D E R

(Order of the Court was made by M.Sathyanarayanan, J.)

The learned counsel appearing for the petitioner, on instructions, would submit that nothing survives for adjudication in this writ petition, as the matter has become infructuous and also made an endorsement to that effect.

2. Heard the submission of Ms.C.Niraimadhi, learned Standing Counsel appearing for the first respondent and Mr.E.Manoharan, learned Additional Government Pleader appearing for the second respondent also.

3. In the light of the said development, this Writ Petition is dismissed as infructuous. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Jvm

To

1. The Secretary,
Tamil Nadu Public Service Commission,
Chennai-600 005.
2. The Secretary,
Department of Personnel and Administrative Reforms,
Government of Tamil Nadu,
Chennai-600 009.

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BR(CO)
SSM(08/03/2019) .