

IN THE HIGH COURT OF JUDICATURE AT MADRAS

02.04.2019

Coram

The Hon'ble Mr.Justice V.PARTHIBAN

W.P.No.22312 of 2011

S.Tamilselvan

... Petitioner

vs.

1.The Secretary,
TNPSC,
Commercial Tax Building,
No.1, Greams Road,
Chennai-600 006

2.The Controller of Examination,
TNPSC,
No.1, Greams Road,
Chennai-600 006

... Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus to direct the respondents to provide job to the petitioner on the basis of new cut off marks by fresh valuation of the petitioner's answer sheet on the basis of the petitioner's representation dated 29.08.2011.

For Petitioner .. M/s.S.Senkodi for
Mr.S.Rajanikanth

For Respondents .. Ms.C.N.G.Niraimathi for
R1 and R2

ORDER

The petitioner is before this Court stating that he belongs to Adi-Dravidar community and completed his B.E.(Civil) Engineering in 1987. In response to an advertisement issued on 14.07.2010, he applied for appointment to the post of Assistant Engineer in combined Engineering Service Examination. The examination was conducted for the maximum mark of 300. According to the petitioner, he has written examination on 24.10.2010 and was declared successful in the said examination

and the same was published in the website of the respondent Commission. Thereafter, an interview was conducted from 08.08.2011 to 25.08.2011. According to the petitioner, the Service Commission has only disclosed the Register Number, but has not disclosed the marks obtained in the written examination for the successful candidates.

2.The interview as far as the petitioner was conducted on 23.08.2011 and on 26.08.2011, the Public Service Commission has disclosed the marks in their website. According to the disclosure, the petitioner has secured 183.5 out of 300 in the written examination and 24 marks out of 30 in oral examination. According to the petitioner, the papers have not been properly evaluated and there was no scope for obtaining fraction of mark in the written examination. According to the petitioner, the written examination paper has not been evaluated properly. If proper evaluation had taken place, he would have secured more marks and would have become eligible for appointment to the subject selection, is the contention of the petitioner.

3.This Court, on consideration of the pleadings, has directed the Public Service Commission to produce the answer sheet as well as the mark sheet of the petitioner. In response to the direction, the same have been produced and the marks as secured by the petitioner has also been disclosed. In addition, on behalf of the Commission, a letter dated 29.03.2019 has been produced, in which the cut off marks under Scheduled Caste category, to which the petitioner belongs, in respect of four posts of Assistant Engineer, have been produced. The cut off marks, which were the basis for ultimate selection for appointment to the post of Assistant Engineers, would run as follows:

Sl.No.	Name of the Post	Cut-off marks under SC Category
1	Assistant Engineer(Civil) in Water Resources Organisation, P.W.D.	238.50
2.	Assistant Engineer (Civil) in Building Organisation, PWD	246.00
3.	Assistant Engineer in Rural Development and Panchayat Raj Department	226.50
4.	Assistant Engineer (Civil) in Highways Department	249.00

4. According to the letter of the Commission, the petitioner has secured only 207.5 marks in the written examination as well as in the interview put together and therefore, he did not come within the zone of selection for appointment.

5. In view of the statement made on behalf of the Tamil Nadu Public Service Commission, this Court is unable to entertain the writ petition. Therefore, this Court is of the view that the writ petition has to fail, as the petitioner has not come within the zone of selection for appointment. Accordingly, the writ petition is dismissed as devoid of merits. No costs.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Secretary,
TNPSC,
Commercial Tax Building,
No.1, Greams Road,
Chennai-600 006

2. The Controller of Examination,
TNPSC,
No.1, Greams Road,
Chennai-600 006

सत्यमेव जयते

W.P.No.22312 of 2011

SAI (CO)
SP(14/05/2019)

WEB COPY