

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.02.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.763 of 2018
and
W.M.P.No.928 of 2018

J.Gowsalya Devi

.. Petitioner

vs

The Secretary
Office of the Tamil Nadu Public Service Commission,
Frazer Bridge Road,
Chennai - 600 003

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent to appoint the petitioner as Hostel Superintendent cum Physical Training Officer.

For Petitioner : Mr.C.Jayavel

For Respondent : Dr.M.Devendran

O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondent to appoint the petitioner as Hostel Superintendent cum Physical Training Officer.

2.The writ petitioner had participated in the process of selection for recruitment to the Post of Hostel Superintendent cum Physical Training Officer pursuant to the recruitment notification issued by the respondents, the writ petitioner had appeared for the written test. However, the name of the writ petitioner was not found place in the select list. Thus, the writ petitioner is constrained to move the present writ petition.

3.The learned counsel appearing on behalf of the 1st respondent / Tamil Nadu Public Service Commission on instructions, made a submission that the candidates were admitted provisionally to oral test to fill up three vacancies under BC(GI)Category and two vacancies in BC(W)category. Among the 7 BC(W) candidates, only 4 candidates were admitted to oral test to fill-up the two vacancies under BC(W) category in the ratio 1:2 and the remaining three BC(W) candidates being top-rankers were admitted to oral test against GT(W) Category. The final answer keys and Written Examination marks of those candidates, who have not been selected to oral test had been hosted in Commission's website as 06.02.2018.

4.As far as the writ petitioner is concerned, she has secured 257.50 Marks with reference to the BC(W)category. The cut-off mark for BC(W)category is 265.50. Thus, the writ petitioner was not selected and therefore, the present writ petition is liable to be rejected.

5.This Court is of an opinion that the process of selection can be challenged, if there is any malpractice or corrupt activities or illegality. In the absence of establishing any such legal ground, the Court would not intervene in respect of the selection process, which is otherwise conducted by following the procedures as contemplated in the recruitment rules.

6.In the present case on hand, the writ petitioner has not established any such ground, so as to intervene with the process of selection. Contrarily, the writ petitioner is a failed candidate and secured 257.50 marks under the BC(W) category and the cut off marks for BC(W)category is fixed as 265.50 and therefore, the writ petitioner was not selected and accordingly, this Court do not find any infirmity in respect of the decision taken by the respondent.

7.Accordingly, the writ petition is devoid of merits and stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kak

To

The Secretary
Office of the Tamil Nadu Public Service Commission,
Frazer Bridge Road, Chennai - 600 003

+1 cc to Mr.C.Jayavel, Advocate Sr.No.11754
+1 cc to Dr.M.Devendran, Advocate Sr.No.12107

W.P.No.763 of 2018

SSV(CO)
CSL/06.03.2019



WEB COPY