

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.11433 of 2013

And

M.P.No.1 of 2013

P.G.Muthulakshmi

... Petitioner

Vs.

1.The Secretary

Tamilnadu Public Service Commission,
Office of the Tamilnadu Service Commissioner,
Chennai - 3.

2.The Secretary to the Government,

Department of Personnel and Administrative Reforms,
Fort, St.George,
Chennai - 600 009.

3.The Secretary to the Government,

Department of Home,
Secretariat,
Chennai.

... Respondents

Prayer:Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent herein to select and appoint the petitioner to the post in Group II service in pursuance of her participation in the selection of the combined subordinate service Examination I for the year 2009-2011.

For Petitioner : No Appearance

For Respondents: Mr.N.Balamuralikrishnan for R1

Mr.S.Thangavel for R2 and R3

Special Government Pleader

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the first respondent to select and appoint the petitioner to the post in Group II service in pursuance of her participation in the selection of the combined subordinate service Examination I for the year 2009-2011.

2.The case of the petitioner is that the petitioner passed S.S.L.C. Examination, Plus 2 Examination and B.Com Degree in Tamil Medium and she belong to Schedule Caste Community. The petitioner participated in the written examination conducted by

the first respondent for the posts included in the combined subordinate service Examination I for the year 2009-2011 on 30.07.2011 and secured 223.5 marks out of 300 marks. Thereafter the petitioner was called for oral test and the petitioner appeared in the said test and secured 21 marks out of 30 marks.

3.It is the further case of the petitioner that the petitioner was called for certificate verification by the first respondent and the petitioner also participated in the certificate verification on 30.06.2012, however, the petitioner's name was not found in the selection list. Aggrieved by the same, the petitioner has filed this writ petition.

4.When the matter was taken up for consideration, there is no representation for the petitioner. Hence, this Court decides to proceed with the case with the materials available on record and on merits.

5.The learned counsel appearing for the first respondent would submit that the petitioner has obtained 244.5 marks, whereas, the last successful candidates in the Schedule Caste (Women) Category have obtained more than 250.5 marks. He would further submit that the petitioner without challenging the selection process has filed this writ petition seeking Mandamus, which is un-sustainable.

6.The first respondent has filed counter affidavit, wherein, in paragraph nos.5 and 6, the marks obtained by the petitioner and the marks obtained by the last successful candidates in the Schedule Caste (Women) Category have been clearly stated. From the above cited paragraphs it is known that the last successful candidates in the Schedule Caste (Women) Category have obtained more than 250.5 marks in total, whereas, the petitioner has obtained 244.5 marks in total. Further, the petitioner without challenging the selection process has filed this writ petition seeking Mandamus, which is un-sustainable.

7.The writ petition is accordingly dismissed. However, liberty is granted to the petitioner to work out the remedy in the manner known to law. No costs. Consequently, the connected miscellaneous petition is closed.

s/d-
Assistant Registrar

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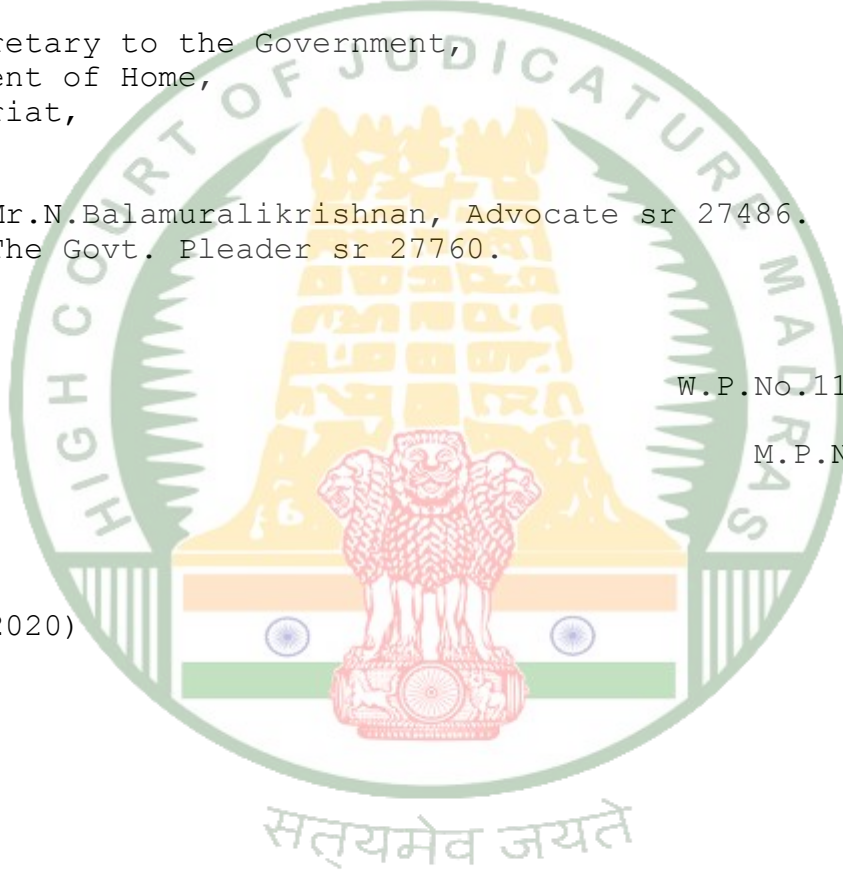
Sub-Assistant Registrar

To

- 1.The Secretary
Tamilnadu Public Service Commission,
Office of the Tamilnadu Service Commissioner,
Chennai - 3.
 - 2.The Secretary to the Government,
Department of Personnel and Administrative Reforms,
Fort, St.George,
Chennai - 600 009.
 - 3.The Secretary to the Government,
Department of Home,
Secretariat,
Chennai.
- +1 CC to Mr.N.Balamuralikrishnan, Advocate sr 27486.
+1 Cc to The Govt. Pleader sr 27760.

W.P.No.11433 of 2013
And
M.P.No.1 of 2013

VGII (CO)
SP(21/10/2020)



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