

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.03.2020

CORAM :

The Hon'ble Mr.A.P.SAHI, THE CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE SUBRAMONIUM PRASAD

W.P.No.3611 Of 2020
and WMP Nos.4243 and 4244 of 2020

K. Visu

...Petitioner

-vs-

The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, VOC Nagar,
Park Town, Chennai

...Respondent

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorarified Mandamus to call for the records in respect of publication of list of candidates provisionally selected for the written examinations for the post of civil judge, published on 31.01.2020 in website of www.tnpsc.gov.in in respect of Notification No.25/2019 and set aside the same and further direct the respondent to issue results of preliminary examination for Notification No.25/2019 in the ratio of 1:10 in accordance with para 11 of the Notification No.25/2019 dated 09.09.2019.

For Petitioner

: Mr.K.S. Ilangovan for
M/s Achari & Antoni
Associates

For respondents

: Ms.C.N.G. Niraimathi
Standing Counsel

JUDGMENT

(Delivered by The Hon'ble Chief Justice)

Heard learned counsel for the petitioner and learned Standing Counsel for the Tamil Nadu Public Service Commission.

2. The petition is founded on the premise that according to

his self assessment, the petitioner should obtain 30.25 marks and therefore, in view of the category to which he belongs to, he crosses the bench mark of 30 marks and was therefore, entitled to be called for the written examination.

3. As a matter of principle, keeping in view the Full Bench decision of this Court in the case of Vidya Devarajan and another vs The Secretary, Tamil Nadu Public Service Commission (W.P.Nos.10010 of 2015 and 3611 of 2020) decided on 18.02.2020, the writ petition need not be entertained at this stage. But, in order to satisfy ourselves, we have called upon the learned Standing Counsel for Tamil Nadu Public Service Commission, as in the event the petitioner could ultimately prove his point to be correct, it would have been difficult to compensate him after the declaration of the final results.

4. Learned Standing Counsel for the Tamil Nadu Public Service Commission, therefore, has taken instructions and has, upon such instructions, informed this Court that the questions at Serial Nos.38 and 39, as stated by the petitioner, had not been shaded in the answered OMR Sheet and therefore, as per the calculation provided, the petitioner only gets 29.5 marks. We are, therefore, not inclined to entertain the writ petition.

5. The writ petition is accordingly, consigned to records. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sr

To

The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, VOC Nagar,
Park Town, Chennai

W.P.No.3611 of 2020

SR(CO)
KKV/20/07/2020