



WEB COPY



WP No.20207 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02-11-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.20207 of 2018

And

WMP No.23682 of 2018

A.Britto

..

Petitioner

vs.

The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road,
V.O.C. Nagar,
Park Town,
Chennai-600 003.

..

Respondent

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to consider the petitioner under 4% reservation for the Differently Abled Person as like as the persons in the same category.



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For Petitioner

: Mr.K.Anbarasan

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For Respondent

: No Appearance

ORDER

The relief sought for in the present writ petition is to direct the respondent to consider the case of the writ petitioner under the Quota Reserved for Differently Abled Persons.

2. The petitioner admittedly participated in the process of selection pursuant to the Notification issued on 27.04.2017. However, 4% reservation was not granted during the relevant point of time in the Recruitment Notification for the Differently Abled Persons.

3. As per the Recruitment Notification, 3% reservation was allotted to the Differently Abled Persons and the petitioner was not within the zone of consideration during the relevant point of time. Thus now the petitioner seeks 4% reservation is to be granted. However, the 4% reservation came into force subsequently after the Recruitment Notification during which the writ petitioner had participated. Therefore, the reservation granted



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subsequently after the Recruitment Notification cannot be implemented with retrospective effect. Thus the relief as such, sought for in the present writ petition deserves no merit consideration.

4. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently connected miscellaneous petition is also dismissed.

02-11-2022

Index : Yes/No.
Internet : Yes/No.
Speaking Order/Non-Speaking Order.
Svn

To

The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road,
V.O.C. Nagar,
Park Town,
Chennai-600 003.



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S.M.SUBRAMANIAM, J.

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