



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2022

CORAM

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

W.P.No.12190 of 2014

&

W.M.P.Nos.8508 of 2016 & 17421 of 2021

Mrs.K.Thailleeswari

...Petitioner

-Vs-

1.Tamil Nadu Public Service Commission,
Chennai - 600 001.

2.The Government of Tamil Nadu,
Rep by its Secretary,
Department of Personnel and Administrative Reforms,
Fort St.George, Chennai - 600 009.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the candidature of the petitioner who has obtained 217.5 marks in the written test on par with the Most Backward Class (Destitute Widow) Cut off mark 204 and select the petitioner and to appoint her to the post of VAO following the selection process initiated by respondents in 2006 for appointment to the post of VAO.

For Petitioner : Mr.S.Sadasharam

For Respondents : Mrs.G.Hema, Standing Counsel
(for R.1)
Mrs.S.Anitha,
Special Government Pleader
(for R.2)



ORDER

The writ of mandamus has been filed to direct the respondents to consider the candidature of the writ petitioner for selection to the post of Village Administrative Officer.

2. The writ petitioner participated in the process of selection to the post of Village Administrative Officer in the Tamil Nadu Ministerial Service. The candidature of the writ petitioner was rejected on the ground that she is not a destitute widow but a deserted women.

3. The learned counsel for the petitioner mainly contended that the petitioner was permitted to take the written examination and she scored 217.5 marks out of 300 marks. However, the learned Standing counsel appearing on behalf of the TNPSC made a submission that even the petitioner was not within the zone of consideration both on the ground that she is not falling under the destitute widow category and further the cut-off marks for the category in which the petitioner belongs to, was 255. The Notification stipulates that the priority is to be provided only for a destitute widow and not for the deserted women. The petitioner is a deserted women and not the destitute widow and therefore rejection of her candidature cannot be found erroneous and further the recruitment has been completed in the year 2014 itself and already 8 years lapsed.

4. For all the above said reasons, the writ petition stands dismissed. No costs. Connected miscellaneous petitions stand closed.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

mrm

To

1.Tamil Nadu Public Service Commission, Chennai - 600 001.

2.The Secretary, Government of Tamil Nadu,
Department of Personnel and Administrative Reforms,
Fort St.George, Chennai - 600 009.

+1cc to Government Pleader SR. No. 34846

+1cc to Mr.S.Sadasharam, Advocate SR. No. 34699

W.P.No.12190 of 2014

PL (CO)

PR (24/06/2022)