



W.P.(MD)No.5761 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.5761 of 2020

and

W.M.P(MD)Nos.5033, 5035 & 5036 of 2020

Saajida

... Petitioner

Vs.

The Secretary

Tamil Nadu Public Service Commission,

Chennai - 600 023.

... Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned proceedings No.Nil dated 10.01.2020 issued by the respondent (Published in the Official Website of the TNPSC) and quash the same as illegal and consequently to direct the respondent to

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treat the petitioner as a candidate belonging to the Backward Class (Muslim) community and consequently to consider the petitioner for the appointment to the post of Typist under BC (M) category.

For Petitioner : Mr.R.J.Karthick

For Respondent : Mr.V.Panneer Selvam
Standing counsel

ORDER

This Writ Petition has been filed to quash the impugned proceedings No.Nil dated 10.01.2020 issued by the respondent (Published in the Official Website of the TNPSC) and consequently to direct the respondent to treat the petitioner as a candidate belonging to the Backward Class (Muslim) community and consequently to consider the petitioner for the appointment to the post of Typist under BC (M) category.

2. The learned counsel for the petitioner would submit that during the pendency of the writ petition, the petitioner was given

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temporary appointment. However, this Court may grant liberty to the petitioner, if any adverse order being passed, let the petitioner work out his remedy in the manner known to law.

3. Per contra, the learned Standing Counsel appearing for the respondent would submit that already the learned Single Judge of this Court held that the converted Muslim is only entitled for OC category. Challenging the same, the aggrieved party filed a writ Appeal before this Court in W.A.(MD) No.1009 of 2013 and the writ appeal was allowed in their favour. Against which, preferred an appeal before the Apex Court in S.L.P.(C)No.28421 of 2018 and the Apex Court granted interim stay on 24.09.2018.

4. In view of the above, the learned counsel for the petitioner submitted that this Court may grant liberty to the petitioner to pursue his remedy after disposal of the SLP filed by the TNPSC.



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5. Recording the same, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

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Index : Yes/No
Internet : Yes / No
RM

To

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M.DHANDAPANI,J.

RM

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