



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.11.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.24054 of 2022 and
W.M.P.(MD)No.18157 of 2022

P.Sasikumar

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Personnel and Administrative Reforms Department,
St.George Fort, Chennai – 600 009.
 2. The Commissioner,
Department of Economics and Statistics,
D.M.S.Compound, Teynampet,
Chennai – 600 006.
 3. Tamil Nadu Public Service Commission,
Rep. By its Secretary,
TNPSC Road, V.O.C.Nagar, Park Town,
Chennai – 600 003.
- ... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 3rd respondent to include the Economics Subject as subject paper in Paper - I in the forthcoming Examination for selection of Assistant Statistical Investigator in the Tamil Nadu General Subordinate Service based on the Notification No.27/2022 dated 15.09.2022 and thereafter conduct the examination.



For Petitioner : Mr.M.Saravanakumar

For R-1 & R-2 : Mr.A.K.Manikkam,
Special Government Pleader.

For R-3 : Mr.V.Panneerselvam,
Standing Counsel.

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner seeks inclusion of Economics as subject paper in Paper-I in the forthcoming examination for selection of Assistant Statistical Investigator in Tamil Nadu General Subordinate Service. Recruitment notification has already been issued.

3. I am conscious that it is not open to this Court to give any positive direction to the Government or the recruiting agency to include any particular subject. That would be beyond the powers of this Court. At the same time, I have to necessarily express my surprise at the omission of Economics



subject. It is the Department of Economics and Statistics which is proposing to recruit the Assistant Statistical Investigators. For the past thirty years, this subject figured as subject paper. Only in the proposed examination, it has been omitted. It is well settled that when the department is making departure from long and settled practice, it cannot be arbitrary. I therefore permit the petitioner to submit a representation to the first respondent and the first respondent is directed to take a call on the same within a period of four weeks after its receipt.

4. This writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

16.11.2022

Index : Yes / No

Internet : Yes/ No

PMU

Note : Issue order copy on 17.11.2022.



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G.R.SWAMINATHAN,J.

PMU

To:

1. The Principal Secretary to Government,
Personnel and Administrative Reforms Department,
St.George Fort, Chennai – 600 009.
2. The Commissioner,
Department of Economics and Statistics,
D.M.S.Compound, Teynampet,
Chennai – 600 006.
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