



W.P.(MD)No.28335 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.12.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.28335 of 2022

and

W.M.P.(MD)No.22384 to 22386 of 2022

N.Gopi

... Petitioner

Vs.

1. The Secretary

Human Resources Management Department,
Government of Tamilnadu, Secretariat,
St.George Fort, Chennai - 600 009.

2. The Secretary

Tamilnadu Public Service Commission,
TNPSC Road, Park Town,
Chennai - 600 003.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for issuance of Writ of Certiorarified Mandamus, calling for the



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entire records of the 2nd respondent for the posts included in combined Civil Services Examination - I (Group - 1 services) - 2022 for Notification No. 16/2022 dated 21.07.2022 and quash the same as illegal and direct the 2nd respondent to allow the candidates to write the mains Exam as per 1.50 ratio for Notification No.16/2022 dated 21.07.2022 by considering the petitioner's representation dated 30.11.2022, within the stipulated time period.

For Petitioner : Mr. G.Sakthi Rao

For Respondents : Mr. S.P.Maharajan
Special Government Pleader
for R1
Mr. J.Anandakumar
Standing Counsel For R2

ORDER

This Writ Petition has been filed to call for the entire records pertaining to the Notification No.16/2022 dated 21.07.2022 issued by the 2nd respondent for the posts included in combined Civil Services



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Examination - I (Group - 1 Services) - 2022, quash the same as illegal and direct the 2nd respondent to allow the candidates to write the mains Exam as per 1.50 ratio for Notification No.16/2022 dated 21.07.2022 by considering the petitioner's representation dated 30.11.2022, within the stipulated time period.

2. The case of the petitioner that the petitioner is the Tamil Medium student and he completed his Degree through Annamalai University in the academic year 2013-2016. While so, the second respondent issued Notification No.16/2022 on 21.07.2022 calling for applications for the posts included in the Combined Civil Services Examination-I (Group-1 Services)-2022 for the vacancy of 92 posts. He has applied as per the Tamil Nadu Public Service Commission Online Application for the Notification No.16 of 2022 to avail PSTM also. His application was accepted by the Tamil Nadu Public Service Commission and the Tamil Nadu Public Service Commission issued the Application No. 2216137092, dated 12.08.2022. In the Tamil Nadu Public Service Commission Group-I Exam, there are three stages and the first stage is



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preliminary exam, second stage is Main written Exam Descriptive Type and the last stage is Oral Test. Each and every stage, there is a certain cut off marks and based on the top mark, the Tamil Nadu Public Service Commission permits the candidates to the next process. Normally, Tamil Nadu Public Service Commission allows the candidates to write the Main exams as per ratio 1:20. However, in the years 2021 and 2020 Notifications, they allowed 1:50 ratio which is not sustainable one. Except the State of Tamil Nadu, all other States are following the ratio of 1:20. Hence, the present writ petition has been filed challenging the impugned order passed by the 2nd respondent.

3. The learned Standing Counsel appearing for the second respondent would submit that the petitioner has participated in the examination accepting the condition in the Notification and after participation of the examination, he has filed this writ petition which is not sustainable one. If he is aggrieved by the said Notification, he has to challenge the same before participating in the exam. Further, the fixation of ratio is the policy decision of the Government. This Court cannot interfere



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with the policy decision of the Government. Hence, he prays for dismissal of the present writ petition.

4. Heard the learned counsel appearing for the petitioner, the learned Special Government Pleader appearing for the 1st respondent and the learned Standing Counsel appearing for the 2nd respondent.

5. Admittedly, the present impugned order has been issued on 21.07.2022 and the petitioner is well aware of the conditions imposed in the Notification and after accepting the conditions imposed in the Notification, he has participated in the examination. Thereafter, the present writ petition has been filed challenging the Notification issued by the 2nd respondent. If the petitioner is aggrieved by the said Notification, he has to challenge the said Notification during the relevant point of time. After participating in the examination, he has filed this writ petition challenging the Notification which is not sustainable one. Further, it is the policy decision of the Government and this Court cannot interfere with the policy decision of the Government under Article 226 of the Constitution of India. Hence, this Writ



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Petition is dismissed. No costs. Connected miscellaneous petitions are closed.

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Index : Yes / No

Speaking Order : Yes / No

ssb

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M.DHANDAPANI,J.

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