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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 21.09.2023

Pronounced on : 27.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.6096 of 2022
and W.M.P.No.6186 & 6187 of 2022

Kamalraj M

.. Petitioner

Versus

1.The State of Tamil Nadu
Rep by its Secretary
Department of Finance
Secretariat, Chennai – 600 009

2.The Tamil Nadu Public Service Commission
Represented by its Secretary
TNPSC Road, Park Town
VOC Nagar, Chennai – 600 003

3.The Director of Co-operative Audit
Directorate of Cooperative Audit
#571, Anna Salai, 2nd Floor
Amma Complex, Veterinary Hospital Campus
Nandanam, Chennai – 600 035

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the records of the impugned recruitment notification issued by the 2nd respondent under Advertisement No. 604 and Notification No. 2/2022 dated 21.01.2022 for the post of Assistant Director of Co-Operative Audit in the Tamil Nadu Co-



operative Service and quash the same as unconstitutional, ultravires, illegal, invalid and discriminatory.

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For Petitioners

: Mr.Sam Jayaraj Houston

For Respondents

: Mr.J.Ravindran, AAG

assisted by

Mr.U.Bharanidharan for R1 & R3

Additional Government Pleader

Mr.I.Abrar Mohammed Abdullah for R2

ORDER

This writ petition has been filed challenging the recruitment notification issued by the 2nd respondent under Advertisement No. 604 and Notification No. 2/2022 dated 21.01.2022 for the post of Assistant Director of Co-Operative Audit in the Tamil Nadu Co-operative Service and quash the same.

2. It is the grievance of the writ petitioner that in the original notification, there was no reference to the Examination in Tamil, however, the notifications also covers the reservation to the PSTM candidates. In the original notification, the second respondent initially had restricted the language of the examination for Paper-I to English alone omitting the language Tamil. Further, by way of addendum, they included language of Tamil also by notification No.02A dated 18.02.2022. Hence, it is the contention of the writ petitioner that the last date of submission of the



application is 21.02.2022, therefore, majority of the candidates who have studied Tamil medium have missed an opportunity to apply for the said post since, the original notification did not permit/mention Tamil as language for the examination. Further, it is the contention of the writ petitioner that in the major subject also, no choice has been given. Therefore, he seeks to quash the entire notification.

3. Heard both sides and perused the materials placed on record. The Tamil Nadu Public Service Commission has disputed the contentions.

4. The notification was issued on 21.01.2022 calling for the application for direct recruitment for the post of Assistant Director of Co-operative Audit in the Tamil Nadu Co-operative Service. The grievance of the writ petitioner is that addendum was issued only on 18.02.2022 allowing the candidates to write examination in Tamil also. Further, in the original notification, the same has not been found, many of the candidates under the category of the PSTM could not apply. Therefore, seeks to cancel the notification. At this stage, this Court is of the view that the petitioner cannot maintain the writ petition. The petitioner is not the applicant nor the aggrieved person, he is trying to espouse



the cause of others who have not even complained about the addendum or PSTM quota.

5. The petitioner cannot espouse the cause of others particularly in the recruitment process. Admittedly, the addendum was issued on 18.02.2022 and thereafter, three days' time were also available for the persons to apply. Such being the position, if really persons were interested to avail the benefit under the PSTM category, they could have applied very well since there was sufficient time available. When the syllabus have been framed by the respondents after elaborate meeting and discussion, the petitioner cannot question the same at this stage.

6. Accordingly, I do not find any merits in this case and this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

27.09.2023

dhk

Internet : Yes/No

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Neutral Citation : Yes/No



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N.SATHISH KUMAR, J.



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