



W.P.No.31186 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.09.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.31186 of 2012

and

MP.No.1 of 2012

M.Sankar

... Petitioner

Vs.

The Secretary,
Tamilnadu Public Service Commission,
Chennai.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue Writ of Mandamus to direct the respondent to include the name of the petitioner as belonging to the Backward Class for the selection to “common Degree posts” (Group II examination conducted on 30.07.2011).

For Petitioner : M/s.V.Srimathi

For Respondent : Mrs.G.Hema,
Standing Counsel



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ORDER

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This writ petition has been filed for direction directing the respondent to include the name of the petitioner as belonging to the Backward Class for the selection to “common Degree posts” (Group II examination conducted on 30.07.2011).

2. Heard, the learned counsel appearing on either side.

3. The petitioner is a degree holder. The respondent issued notification thereby called for applications for appointment to Government service by direct recruitment for the posts specified therein, wherein recruitment to the said posts was on the basis of written examination and oral test. The petitioner had attended the written examination on 30.07.2011. However, he was not called for interview though he scored 238.50 marks in the written examination and cut off mark for Backward Class Tamil Medium is 228.

4. A perusal of the counter filed by the respondent reveals that the petitioner failed to enclose any evidence for having studied in Tamil medium along with his application. Therefore, he was not considered for the said reservation i.e. he has not been considered under BC General (Tamil medium) category. However, he has been considered under BC



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(General) category and he had obtained 238.50 marks in the written examination. The mark obtained by the last candidate who had been summoned for oral test under BC (General) category for common degree post is 244.50. Therefore, the petitioner had not reached the zone of selection to be summoned for oral test.

5. As such, the direction sought for in this writ petition cannot be considered and the writ petition is devoid of merits. Accordingly, this writ petition is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

07.09.2023

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
Lpp

To
The Secretary,
Tamilnadu Public Service Commission,
Chennai.

G.K.ILANTHIRAIYAN, J.
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