



WEB COPY



W.P.No.31992 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2023

CORAM:

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

W.P.No.31992 of 2012
and M.P.No.1 of 2012

B.Babu

... Petitioner

Vs.

The Secretary
Tamil Nadu Public Services Commission,
Frazer Bridge Road,
V.O.C.Nagar,
Park Town,
Chennai – 600 003.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondent to treat the petitioner as a candidate selected in the written test for appointment of Group-II Common Degree Posts under BC-OTM-Tamil Medium category and call the petitioner for counseling and appoint him to the said post.

For Petitioner : Mr.P.Rajendran

For Respondents : Ms.G.Hema,
Sanding Counsel for TNPSC



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ORDER

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This writ petition has been filed to direct the respondent to treat the petitioner as a candidate selected in the written test for appointment of Group-II Common Degree Posts under BC-OTM-Tamil Medium category.

2. The respondent invited applications for appointment of Group – II Common Degree Posts and the petitioner had written the examination. The petitioner comes under the category of BC-OTM-Tamil Medium. The petitioner secured 228 marks and cut off marks was published in the respondent website for BC-OTM-Tamil Medium was 228 marks. However, the petitioner was not shown in the selected candidates list. Therefore, he submitted representation and the same was not considered by the respondent. Hence, the petitioner filed the present writ petition with the above said prayer.

3. Heard the learned counsel appearing on either side and perused the material placed before this Court.



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4. On perusal of the counter filed by the respondent revealed that in the advertisement given by the respondent, under para 3 A(ii), it had been announced that 20% of all vacancies in direct recruitment will be filled on preferential basis by persons studied in Tamil Medium, with reference to G.O.Ms.No.145, P & AR (S) Department, dated 30.09.2010. Further under para 3 A(iii), it had been announced that candidates who claim reservation with reference to orders issued in the above G.O., should enclose evidence in support of their claim and the applications submitted without evidence will not be considered for the above said reservation. But the petitioner had failed to enclose the evidence for having studied the prescribed qualification in Tamil Medium with his application for the posts included in CSSE-I 2009-2011. Therefore, he was not considered under the Person Studied in Tamil Medium (PSTM) category.

5. That apart, the marks obtained by the last candidate who was called for the oral test in the category of BC (General) was 235.5. The cut off mark for admission to counselling to the Non-OT posts in the category BC (General) category for common degree post was 232.5.



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Further the cut off mark for admission to counselling to the Non-OT posts in the category of BC(G) PSTM, to which the petitioner belongs is 231. However, the petitioner has scored only 228 marks. Therefore, he neither call for oral test nor admitted to counselling to the Non-OT posts in the said selection.

6. In view of the above discussions, the prayer sought for by the petitioner cannot be considered and the writ petition is devoid of merits and liable to be dismissed. Accordingly, the Writ Petition stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to cost.

26.09.2023

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order

rts



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G.K.ILANTHIRAIYAN. J,

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