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W.P.No.35120 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.35120 of 2012
and M.P.No.1 of 2012

R.Suresh

... Petitioner

Vs.

1. The Tamil Nadu Public Service Commission,
Rep. by its Secretary,
Commercial Tax Building,
Greaves Road,
Chennai – 600 006.

2. The Government of Tamil Nadu rep by its
Secretary to Government,
Rural Development & Panchayat
Raj Department,
Fort St. George,
Chennai – 600 009.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 07.12.2012 and direct the respondents to appoint the petitioner as Assistant in the Rural Development and Panchayat Raj Department included in Supplementary Notification No.280 dated 11.06.2011 issued by the first respondent.



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For Petitioner : Ms.M.Malavika

For Respondents

For R1 : Ms.G.Hema,
Standing Counsel

For R2 : Mr.L.S.M.Hasan Fizal
Additional Government Pleader

ORDER

This writ petition has been filed to direct the respondents to consider the representation of the petitioner dated 07.12.2012, to appoint him as Assistant in the Rural Development and Panchayat Raj Department.

2. The petitioner had applied for the post of Assistant in the Rural Development and Panchayat Raj Department and he had secured 231 marks in the written examination. Based on the rank obtained in the non-interview post category, the petitioner was called for counselling on 01.12.2012. However, he was not selected to the said post and hence he submitted representation. Since the same was not considered, the petitioner filed the present writ petition with the above said prayer.

3. Heard the learned counsel appearing on either side and



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perused the material placed before this Court.

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4. On perusal of the counter filed by the first respondent revealed that the petitioner belonged to SC General category and he secured 231 marks in the written examination. The marks obtained by the last candidate was called for oral test in the category of SC General was 323.5. Therefore, the petitioner was not called for the oral test. Further while selecting the candidates for admission to counselling in respect of 3171 vacancies in 56 non-oral test posts, the following procedure has been followed :-

The non-oral test posts have been classified into following five categories of posts based on the qualifications prescribed for each of the post:-

Sl. No.	Post	Vacancies	Qualification prescribed
1	Common posts (ie., other than posts mentioned below)	3119	Any degree
2	Assistant Finance Department (Post Code: 1077)	37	A degree in Commerce or Economics or Statistics
3	Assistant, Law (Post Code :1076)	6	A degree in Law
4	PC, Finance (post code: 1079)	2	A degree in Commerce or Economics or Statistics with Short-hand and Typing
5	PC, Secretariat (Post code: 1078)	7	Any degree with Short-hand and Typing.



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5. Further the cut off marks in the category of SC General for admission to first phase of counselling to the non-Oral Test post included in Combined Subordinate Service Examination-I, 2009-2011 was 231 marks. Therefore, based on the marks obtained by the petitioner, he was called for counselling to non-oral test posts. For the first phase counselling, the candidates had been called for in the ratio of 1:1.5 viz., to fill up 3171 vacancies 4838 candidates were called for and they were permitted to attend the counselling according to their rank.

6. As far as the petitioner is concerned, he attended the counselling on the last day of the first phase of counselling as per the rank obtained by him. Further, when he attended the counselling, all the vacancies reserved for SC General were opted by the candidates of the same community, who held higher marks than the petitioner. Therefore, the petitioner was not selected. Further, the vacancies caused due to non-availability of SC (Ex-Servicemen), the vacancies filled up by SC General for which also the candidates did not reach the rank called for the subsequent counselling.



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7. Considering the above facts, the prayer sought for by the petitioner cannot be considered and the writ petition itself 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

To

1. The Secretary
Tamil Nadu Public Service Commission,
Commercial Tax Building,
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2. The Secretary to Government
Government of Tamil Nadu,
Rural Development & Panchayat
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G.K.ILANTHIRAIYAN. J,

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