



W.P.(MD)No.14291 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:30.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.14291 of 2020

R.Angamuthu

... Petitioner

Vs.

1.The Secretary,
Tamil Nadu Public Service Commission,
V.O.C. Nagar, Chennai – 600 003.

2.The Government of Tamil Nadu,
Represented by the Secretary,
Personal & Administrative Reforms(P) Department,
Omanthoorar Government Estate,
Chennai – 600 002.

... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent to declare the candidature of the petitioner in Registration No.50044021 as pass in the recruitment for the post included in Combined Subordinate Services Examination -1, 2008 and appoint the petitioner in any of the post which is included in Combined Subordinate Services Examination – 1, 2008.



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For Petitioner : Mr.R.Maheswaran
For R-1 : Mr.V.Panneer Selvam
For R-2 : Mrs.K.Christy Theboral,
Additional Government Pleader

ORDER

This writ petition has been filed for a direction to the first respondent, to declare the candidature of the petitioner in Registration No.50044021, as pass in the recruitment for the post included in Combined Subordinate Services Examination -1, 2008 and appoint the petitioner in any of the posts, which is included in Combined Subordinate Services Examination – 1, 2008.

2. The case of the petitioner is that he wrote the examination of Combined Subordinate Services Examination – 1, 2008, held in the year 2009 and thereafter, the result was published and the first respondent called the petitioner to participate in the oral test on 30.09.2009 and the petitioner attended the same. Thereafter, final result was released. With regard to the petitioner, the result was withheld owing to the charges pending against him. Subsequently, the petitioner submitted his



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explanation to the respondents. However, the same was not accepted.

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Against which, the petitioner preferred an appeal to the Chairman of TNPSC and thereafter, the reasons put forth by the petitioner was accepted and he was let off with severe warning. Thereafter, the petitioner made a representation along with necessary documents, to the respondents on 07.01.2010, requesting them to release the result. Since the same was not considered, the petitioner has filed a writ petition in W.P(MD)No.11410 of 2015, seeking for a direction to the first respondent to release the petitioner's result. In the meanwhile, the petitioner made an application under the Right to Information Act before the Public Information Officer on 20.06.2016, asking for certain details and related documents, more importantly, the answer key to the Direct Recruitment to the post included in CSSE-1, 2008. However, the reply given by the Public Information Officer was not satisfactory. Hence, the petitioner filed an appeal in S.A.No.11457/SCIC/2016, in which, the appellate authority issued certain directions to the Public Information Officer. While being so, based on the counter affidavit filed on behalf of the first respondent in the above writ petition in W.P(MD)No.11410 of



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2015 that the petitioner has scored 247.50 marks in the written examination and not reached the zone of selection to non-interview post, the writ petition filed by the petitioner was dismissed vide order dated 26.07.2019. The grievance of the petitioner is that if the answer key was furnished to him, he could compare the same with the answer sheet and prove that he has scored more marks and would come under the zone of selection. Since the request of the petitioner was not considered, the petitioner has filed this writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that this Court may issue a direction to consider the petitioner's application made before the Public Information Officer, dated 20.06.2016 and pass appropriate orders.

4. However, the learned standing counsel appearing for the first respondent would submit that for the very same relief, earlier the petitioner has filed a writ petition in W.P(MD)No.11410 of 2015 and the same was dismissed on the ground that the petitioner did not reach the



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zone of consideration as he secured 247.50 marks. However, without challenging the same before the Division Bench, the petitioner has filed this writ petition for the very same relief and same is not maintainable and hence, prayed for dismissal of this writ petition.

5. Heard the learned counsel appearing on either side and perused the materials available on record.

6. Admittedly, the petitioner participated in the Combined Subordinate Services Examination – 1, 2008. However, his candidature was not considered. Hence, he filed a writ petition in W.P(MD)No.11410 of 2015, seeking for a Mandamus, to release the result. The said writ petition was dismissed on the ground that the petitioner secured only 247.50 marks and not reached the zone of consideration to the non-interview post and the earlier writ petition filed by the petitioner for the very same relief has been dismissed by this Court. Without challenging the said order before the Division Bench, the petitioner has filed the present writ petition for the very same relief and



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the same is not maintainable.

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7. In the result, this writ petition is dismissed. No Costs.

30.01.2023

PM

NCS:Yes/No

Index:Yes/No

Internet:Yes/No

To:

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2.The Government of Tamil Nadu,
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M.DHANDAPANI,J.

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