



W.P.No.19779 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.02.2024

CORAM

THE HON'BLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.19779 of 2012

K.Mohandoss

... Petitioner

Vs.

1.The Secretary to Government
Personnel and Administrative Reforms Department
Fort St.George, Chennai – 9.

2.The Secretary to Government
Higher Education Department
Fort St.George, Chennai – 9.

3.The Member Secretary
Tamil Nadu Public Service Commission
Greens Road, Chennai – 6.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 3rd respondent to call the petitioner for interview without insisting for the Graduation to take up the Oral test in the Combined Subordinate Services Examination – 2009-11 (Group-II) in order to initiate further selection processes for allotting the appropriate notified further selection processes for allotting the appropriate notified post to the petitioner,



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according to the merit as well as in consonance with the rules of reservation and consequently recommending the selection of the petitioner to the appropriate Department for the issuance of appointment order in the said CSSE – 2009.

For Petitioner : Ms.K.Ananthi
for Ms.G.Sridevi

For Respondents : Mr.Abishek Murthy, GA
for RR1 & 2
Ms.G.Hema
for R3

ORDER

Heard the learned counsel appearing on behalf of the petitioner and the learned counsel appearing on behalf of the respondents and also perused the materials records of the case.

2. It is the case of the petitioner that he passed 10th Standard in the year 1982, 12th Standard during 1984 and thereafter he obtained M.A., Degree in the year 2001, under the Open University curriculum. Petitioner also completed his B.G.L., Degree in the year 2006.

3. In such circumstances, pursuant to the notification dated 30.12.2010, the petitioner participated in the selection process for Group – II



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Services conducted by the Tamil Nadu Public Service Commission. Upon being successful in the written examination and came within the zone of consideration for interview and Certificate Verification, ultimately he was informed that in view of his educational qualification being done under Open University curriculum, his name was not considered in the further selection process. Hence, the petitioner challenges the same.

4. The matter has since been settled by the Hon'ble Apex Court in the case of *Annamalai University Vs. Secretary to Government, Information and Tourism Department*¹, as the degree without 10+2 and the Post Graduate Degree without 10+2+3 may not be taken into consideration for employment.

5. Secondly, it is also now, brought to the notice of this Court that subsequently, the petitioner has got selected in some other employment and in the subsequent selection, he is working.

6. In view thereof, the grounds raised in this Writ Petition cannot be countenanced and accordingly, stands closed. No costs.

¹ (2009) 4 SCC 590



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Index: Yes

Speaking Order: Yes

Neutral Citation: Yes

To

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D.BHARATHA CHAKRAVARTHY, J.,

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