



WEB COPY



WP.No.4729 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.01.2024

CORAM

**THE HONOURABLE MS. JUSTICE R.N.MANJULA**

W.P No.4729 of 2021  
and  
WMP.No.5342 of 2021

E.Soundarrajan

...

Petitioner

/vs/

1. The State of Tamil Nadu,  
Rep. by its Principal Secretary,  
Home Department, Secretariat,  
Chennai-600 009.
2. The Chairman,  
Tamil Nadu Uniformed Service Recruitment Board,  
Old Commissioner of Police Office campus,  
Egmore, Chennai - 600 008.
3. The Member Secretary,  
Tamil Nadu Uniformed Service Recruitment Board,  
Old Commissioner of Police Office campus,  
Egmore, Chennai - 600 008.
4. The Director General of Police,  
O/o. The Director General of Police,  
Tamil Nadu, Chennai - 600 004. ...

Respondents

**Prayer:** Writ Petition has been filed under Article 226 of the Constitution of India for issuance of a WRIT OF MANDAMUS, directing the 3<sup>rd</sup> respondent to



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consider the true spirit of the Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium Act, 2010 and revise the entire selection list of candidates by following the PSTM quota in every stage of selection process i.e., the written examination, physical measurement test, endurance test, physical efficiency test, Certificate Verification and Viva - Voce and select the petitioner towards Notification No. 2 of 2019, dated 08.03.2019.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.P.Kumaresan,  
Addl.Advocate General assisted by  
Mrs.D.Sowmi Dattan for RR2 & 3  
: Mr.R.P.Murugan Raja for RR1 &4

### **ORDER**

The petitioner has filed this writ petition for seeking direction against the 3<sup>rd</sup> respondent to consider the true spirit of the Tamil Nadu Appointment on a preferential basis in the Services under the State of Persons Studied in Tamil Medium Act, 2010 and revise the entire selection list of candidates by following the PSTM quota in every stage of the selection process, i.e., the written examination, physical measurement test, endurance test, physical efficiency test, Certificate Verification and Viva-Voce and select the petitioner towards Notification No. 2 of 2019, dated 08.03.2019.

2. The petitioner, who was working as a Head Constable, has applied for the post of Sub Inspector of Police in respect of the Notification No.2/2019, dated 08.03.2019. The petitioner had applied for the said post by claiming departmental



quota as well as persons studied in the Tamil Medium category. The petitioner was selected for the written and physical examinations, and he is yet to appear for Viva Voce. In the meantime, some of the candidates approached the Hon'ble Madurai Bench of this High Court and filed a writ petition in W.P. (MD) Nos. 19112, 19121, 19123 & 18668 of 2020 for claiming a 20% PSTM category quota and the same was allowed on 10.02.2021. The petitioner is also entitled to get the benefit of the said order and hence, he has filed this writ petition.

3. Heard, Mr.C.Prakasam learned counsel for the petitioner; Mr.P.Kumaresan, learned Additional Advocate General for respondents 2 and 3 and Mr. R.P.Murugan Raja, learned counsel for the respondents 1 & 4 and perused the materials available on record.

4. Mr.C.Prakasam, learned counsel for the petitioner submitted that the petitioner has studied in Tamil medium during his school education and so he is entitled to be considered under 20% of the PSTM quota.

5. Mr.P.Kumaresan, learned Additional Advocate General for respondents 2 & 3 submitted that the PSTM quota is only available for open candidates and that is not applicable to the department quota candidates. Attention was drawn to paragraphs No.4 of the notification and Paragraph 21(f) of the Information Brochure, in which the following information is given:



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**Para 4.** *PSTM preference: During the final provisional selection, 20% of vacancies shall be set apart on preferential basis for the **open candidates** who studied the Bachelor's degree in Tamil Medium.*

**Para 21. (f)** *20% preference for having studied in Tamil Medium in Degree will not be considered for departmental quota candidates.”*

6. The petitioner, who is already in service, has applied for the post of Sub Inspector of Police through service quota. When the notification itself clearly mentions that a 20% PSTM category quota is available only for open candidates and not for service candidates, the petitioner is not entitled to claim that he would also fall under the PSTM category. Since the petitioner has filed a writ petition on the wrong premise that PSTM reservations are applicable to the departmental candidates also, the prayer sought by the petitioner cannot be granted.

In the result, this Writ Petition stands **dismissed**. No costs. Consequently, connected miscellaneous petition is closed.

**11.01.2024**

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



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**R.N.MANJULA, J.**

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