



W.P.No.17517 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2024

CORAM

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.17517 of 2024
and W.M.P.No.19294 of 2024

G.Pandeeswaran

... Petitioner

Vs.

1.The State of Tamil Nadu
Rep.by its Additional Chief Secretary to Government
Revenue and Disaster Management Department
Secretariat, Fort St.George
Chennai – 600 009.

2.The State of Tamil Nadu
Rep.by its Principal Secretary to Government
Housing and Urban Development Department
Secretariat, Fort St.George
Chennai – 600 009.

3.The Secretary
Tamil Nadu Public Service Commission
TNPSC Road
Voc Nagar, Park Town
Chennai – 600 003.

4.The Controller of Examinations
Tamil Nadu Public Service Commission
TNPSC Road



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Voc Nagar, Park Town
Chennai – 600 003.

5.The Director
Commissioner ate of Land Survey and Settlement
Central Survey Office, Survey House
PWD Estate, Chepauk
Chennai – 600 005.

6.The Director
Directorate of Town and Country Planning
CMDA Complex, E & C Market Salai
Koyambedu
Chennai – 600 107.

7.Vigneshkumar .T
8.Sathishkumar .J
9.Jayapandian .J
10.Srinivasan .M

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records on the file of the 4th respondent in Memorandum No.586/ APD-A1/ 2023 dated 20.05.2024 and quash the same and direct the respondents 1 to 6 to select and appoint the petitioner as a MBC General PSTM candidate based on the marks secured by the petitioner to the post of Draftsman in Survey and Settlement Wing or Surveyor-cum-Assistant Draughtsman in Tamil Nadu Town and country Planning Department as notified by the Recruitment Notification in Notification No.18/2022 issued by the 3rd respondent, Advertisement No.622 dt.29.07.2022 with effect from the date of appointment of the candidate who



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secured lesser marks under the MBC General PSTM reservation.

For the petitioner : Mr.V.S.Jagadeesan
for Mr.N.Sundarrajan
For the respondents : Mr.S.Balamurugan
Government Advocate
for RR1, 2, 5 and 6
Mr.R.Bharanidharan
Standing Counsel
for RR3 and 4

ORDER

This Writ Petition has been filed challenging the order passed by the 4th respondent dated 20.05.2024 thereby rejected the request made by the petitioner seeking appointment to the post of Field Surveyor, Draftsman and Surveyor-cum-Assistant Draughtsman under MBC (General) as well as the Persons Studied in Tamil Medium (hereinafter referred to as 'PSTM') category.

2. It is the case of the petitioner that he had completed his ITI training in Draughtsman (Civil) and upto the qualification of ITI, his medium of instruction is 'Tamil'. He was also issued with the PSTM certificate that he had studied his ITI course in Tamil medium. While being so, the 4th



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respondent issued notification dated 29.07.2022 calling for the applications for direct recruitment to the post of Field Surveyor and Draftsman in Tamil Nadu Survey & Land Records Subordinate Service and Surveyor cum Assistant Draughtsman in Tamil Nadu Town and Country Planning Subordinate Service. There were totally 961 vacancies for the said posts. As per the notification, it has 20 % reservation for the PSTM. The petitioner had applied for the said posts. On scrutiny of applications, the petitioner was allowed to participate in the written examination and he scored 176.50 marks. The petitioner was declared under the MBC and PSTM category. His over all rank is 21078 and under the communal rank 6552. Therefore, the petitioner was declared to be successful for certificate verification. However, his name was not found in the list published by the 4th respondent for certificate verification scheduled to be held on 06.03.2023 and 11.03.2023.

3. The learned counsel for the petitioner would submit that while applying for the said post through online, the petitioner uploaded all his certificates along with the PSTM certificate. However, inadvertently, the petitioner had uploaded only the PSTM certificate issued by the ITI, under all



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categories and failed to upload the PSTM certificate issued by the school authorities. Therefore, the petitioner was not called for certificate verification. He would further submit that though the petitioner had scored more marks than the respondents 7 to 10, they were called for certificate verification. There are instances that the candidates who were not uploaded their PSTM certificate, filed Writ Petitions before this Court and they were permitted to upload their PSTM certificates and also permitted to attend the certificate verification. He also relied upon several Judgments to substantiate his contention.

4. On instructions, the learned counsel appearing on behalf of the respondents 3 and 4 would submit that even if the petitioner is permitted to upload the PSTM certificate, he will not come under the zone of consideration for further selection to the post which he applied for. The last candidate who was selected for the said post under the MBC and PSTM category has secured 199.5 marks. Though the respondents 7 to 10 were called for certificate verification, they were not selected to the said post since they secured very less marks.



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5. The learned counsel for the petitioner would submit that now the petitioner was issued with the PSTM certificate in the prescribed format by the ITI institute as well as the school authorities, to prove that the petitioner had studied in Tamil medium, till his ITI qualification.

6. Heard the learned counsel on either side and perused the material records of the case.

7. The petitioner now claims that he had applied under PSTM quota. When a person studied schooling & college, and acquired prescribed qualifications in Tamil Medium alone are entitled to be considered under the PSTM quota. The petitioner has though studied in Tamil Medium upto the qualification of ITI, while applying for the said posts through online, he has not uploaded the appropriate certificate in the prescribed format. Even otherwise, if an opportunity is granted to the petitioner, he could not come under the zone of consideration, with respect to his marks obtained in the written examination. Therefore, the claim of the petitioner was rightly rejected by the respondents and this Court finds no infirmity or illegality in the order



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impugned in this Writ Petition.

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8. Accordingly, this Writ Petition stands dismissed. No costs.

Consequently, the connected miscellaneous petition is closed.

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Index : Yes/No

Internet : Yes/ No

Speaking order / Non speaking order

Neutral citation : Yes/No

To

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State of Tamil Nadu
Revenue and Disaster Management Department
Secretariat, Fort St.George
Chennai – 600 009.

2.The Principal Secretary to Government
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