



WA.(MD).No.516 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.02.2024

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.A.(MD).No.516 of 2017

K.Anbukkarasi

... Appellant

Vs.

1.The Secretary,
Tamil Nadu Public Service Commission,
Commercial Tax Office Annex Building,
No.1, Greams Road,
Chennai 600 006.

2.The Joint Secretary,
Tamil Nadu Public Service Commission,
Commercial Tax Office Annex Building,
No.1, Greams Road,
Chennai 600 006.

... Respondents

Prayer: Writ Appal is filed under Clause 15 of Letters Patent, against the order dated 14.08.2013 passed by this Court in W.P.(MD).No.3862 of 2011

For Appellant : Mr.R.Anand

For Respondents : Mr.J.Anand Kumar



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J U D G M E N T

(Judgment of the Court was delivered by **K.K.RAMAKRISHNAN, J.**)

This writ appeal has been filed against the order of the learned single Judge passed in W.P.(MD).No.3862 of 2011, dated 14.08.2013, wherein the petitioner has sought for issuance of a writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned Memo issued by the second respondent dated 08.09.2010 and to quash the same and consequently direct the respondents to provide an appointment to the petitioner in the post of Assistant Director of Statistics in Tamil Nadu Statistical Services.

2. According to the petitioner, she has secured 468.49 marks out of 910 marks in the examination conducted for the post of Assistant Director of Statistics in the Tamil Nadu Statistics Service, during 1999-2000. However, pursuant to the notification dated 11.12.1998, the second respondent informed that the petitioner was not declared as a selected candidate, since she had not reached the cut off marks fixed by the respondents, which necessitated to file the writ petition.



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3. According to the qualification prescribed, it was found that the petitioner has got 413.49 marks in the written examination and 55.00 marks in the oral test and totally she had secured only 468.49 marks, which is less than the cut-off marks, required for selecting Backward Class candidate (women) category. As per the selection list, the required mark was 524.98 and reserve list was 492.29. The learned single Judge of this Court held that she cannot claim as a matter of right to be appointed to the post of Assistant Director, as she has not obtained marks above the cut-off marks, sufficient in the category of Backward Class (women), than the selected candidates in the category and there is no merit to allow the writ petition and dismissed the same.

4. Heard the learned counsel for the appellant and the learned counsel for the respondents.

5. On going through the present status of the case, it is seen that in the Memo No.8655/OTD-C2/1998, dated 08.09.2010, the Joint Secretary, Tamil Nadu Public Service Commission has stated that the petitioner has not been selected for appointment to the post of Assistant Director of Statistics in the Tamil Nadu Statistics Service, 1999 – 2000. Further, in the Letter No.



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10252/ST.1/2008, dated 09.02.2011, the Principal Secretary to Government,

Planning Development and Special Initiatives Department, Secretariat, Chennai

600 009, it has been stated that out of the 27 vacancies communicated to Tamil

Nadu Public Service Commission, 7 vacancies relates to the year 2000-2001.

Therefore, the 7 vacancies in the post of Assistant Director of Statistics

furnished for the year 2000-2001 for which Notification was issued by the

Commission on 07.02.2000 and examinations were conducted on 17.06.2000

and 18.06.2000 may be treated as cancelled and a notification in the said post

for the 27 vacancies furnished in the reference fourteenth cited for the period

from 2000-2001 to 2009- 2010 has to be announced afresh. Hence, nothing

survives for further adjudication in the writ appeal and the same has to be

dismissed.

6. In the result, this Writ Appeal is dismissed. No costs. If any fresh notification is issued, the petitioner is at liberty to participate in the process of selection.

[V.B.S.,J.] [K.K.R.K.,J.]

27.02.2024

Index : Yes/No

Internet : Yes/No

NCC : Yes/No

akv



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