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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2025

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.9594 of 2025
and W.M.P.Nos.10750 & 11401 of 2025

Thamizhaga Civil Supplies Corporation
Pattali Thozhil Sangam,
Rep. by its State General Secretary,
Mr.S.K.Maran
Having Address at No.16A, 1st Main Road,
Thirumalai Nagar, Kolathur, Chennai – 99.

.. Petitioner

Vs.

1.The Managing Director
Tamil Nadu Civil Supplies Corporation,
CMRL Office Campus,
Poonamalee High Road,
Koyambedu, Chennai – 600 107.

2.The General Manager (Administration)
Tamil Nadu Civil Supplies Corporation,
CMRL Office Campus,
Poonamalee High Road,
Koyambedu, Chennai – 600 107.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records on the file of the 1st respondent relating to the impugned circular dated 26.05.2022 in Circular No.29/2022 and to quash the same.



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For Petitioner .. Mr.T.Sai Krishnan
For Respondents .. Mr.S.Ravi, Senior Counsel
For Mr.C.Selvaraj, Standing Counsel

ORDER

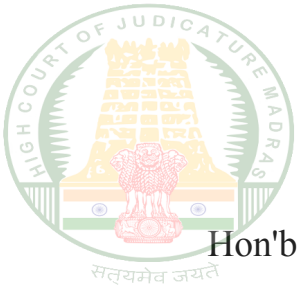
The Writ Petition has been filed by the Thamizhaga Civil Supplies Corporation Pattali Thozhil Sangam questioning the circular issued by the 1st respondent by which, the assessment of the candidate is to be done had been modified from grant of 85% for academic scores and 15% for interview to 50% for academic score and 50% for interview. Advertisements had been issued inviting applications in Madurai and Myladuthurai Zone and the learned Senior Counsel for the respondents stated that nearly about 5800 applications had been received. The main grievance raised by the petitioner is that, by the circular, the method in which the candidates will be assessed had been drastically changed and more weightage had been given for interview and less for the academic qualifications.

2.The learned Senior Counsel for the respondents stated that for the posts of Bill Clerk and Helper, the minimum academic qualification for Bill



Clerk is graduate and for Helper XII standard. It is contended that since many applications had been received, to determine the suitability of the candidates, in line with other recruitment processes of similar nature, the methodology had been changed by granting 50% for personal assessment of the candidates.

3.The learned counsel for the petitioner placed reliance on the judgment of the Hon'ble Supreme Court reported in **(1991) 1 SCC 662, Mohinder Sain Garg V. State of Punjab and others**, wherein with respect to the Subordinate Service in that particular case, it had been stated that an allocation of more than 15% of total marks for viva voce would be unreasonable and excessive. It had therefore been held that allocation of 25% of the total marks for viva voce was arbitrary and excessive. In that particular judgment, the Hon'ble Supreme Court dealt with the appointment to the post of Excise and Taxation Inspectors. There were three written papers in English, Punjabi and General Knowledge of B.A. standard. Those who obtained 33% marks in each paper and 40% marks in aggregate would be called for interview. The total marks for written test was 300 and for interview was 100. That particular procedure had been assailed before the



Hon'ble Supreme Court and it had been stated that 15% of the total marks should be reserved for viva voce.

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4.The distinguishing factors are that the present selection process is for seasonal workers and they would be at the job only during the season for a maximum period of four months. There is no written test. Only suitability will have to be examined. Once they possess the basic educational qualification, they are eligible, but suitability will have to be assessed and the only way in which that could be assessed is by a face to face interview with the candidate. When viewed from this angle there is a logic behind granting more marks for the interview.

5.The learned counsel for the petitioner, however, stated that this increase in the marks for interview had been done only to favour a few candidates. But that statement is far fetched since the selection process had just now commenced with the issuance of advertisement and no further process had started.



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6. Let the procedure continue and if any individual candidate is aggrieved, certainly that individual candidate has a right to take up his grievance in manner known to law. But to stall the entire process when nearly about 5800 applications had been received and many of them would be hopeful of obtaining some job, even though it is only seasonal job, it would not be prudent and I am not inclined to interfere with the nature of the process contemplated by the respondents or with the circular issued. The respondents may proceed further with the selection process in accordance with the notification and circular issued by them.

7. With the above observations, this Writ Petition stands disposed of. No costs. Consequently, connected Writ Miscellaneous Petitions are closed.

04.04.2025

Index: Yes/No
Internet: Yes/No
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To,
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Tamil Nadu Civil Supplies Corporation,
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Koyambedu, Chennai – 600 107.
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7

C.V.KARTHIKEYAN,J.

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