



W.P.Nos.12139 & 28478 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.06.2025

CORAM

THE HONOURABLE MR.JUSTICE **M.SUNDAR**
and
THE HONOURABLE MR.JUSTICE **P.DHANABAL**

W.P.Nos.12139 & 28478 of 2022
and
W.M.P.Nos. 27791 of 2022 and 7460 of 2024
in W.P.No. 28478 of 2022

W.P.No. 12139 of 2022

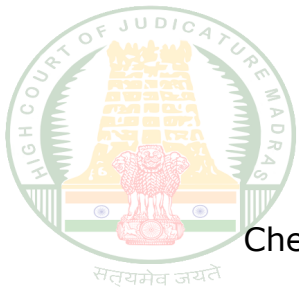
P.Bharathi

... Petitioner

Vs.

- 1.The Chief Secretary,
Government of Tamil Nadu
Secretariat, St.George Fort,
Chennai – 600 009.
- 2.The Chairman,
Tamil Nadu Public Service Commission,
TNPSC Road, Park Town,
Chennai – 600 003.
- 3.The Controller of Examinations,
Tamil Nadu Public Service Commission,
TNPSC Road, Park Town,
Chennai – 600 003.
- 4.The Principal Secretary,
Department of Higher Education,
Government of Tamil Nadu,
Secretariat, St.George Fort,

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Chennai – 600 009.

5.The Principal Secretary,
School Education Department,
Namakkal Kavignar Maligai,
Fort St.George, Chennai – 600 009.

... Respondents

*(R1 dismissed vide order dated
06.05.2022 made in W.P.No.12139 of 2022)*

W.P.No. 28478 of 2022

P.Bharathi

.. Petitioner

VS

1.The Secretary to Government,
Government of Tamil Nadu,
Human Resources Management Department,
Secretariat, Fort St.George,
Chennai – 600 009.

2.The Chairman,
Tamil Nadu Public Service Commission,
TNPSC Road, Park Town,
Chennai – 600 003.

3.The Principal Secretary,
Department of Higher Education,
Government of Tamil Nadu,
Secretariat, St.George Fort,
Chennai – 600 009.

4.The Principal Secretary,
School Education Department,
Government of Tamil Nadu,
Secretariat, St.George Fort,
Chennai – 600 009.

.. Respondents



W.P.Nos.12139 & 28478 of 2022

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Prayer in W.P.No. 12139 of 2022: Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus to direct the 1 to 3 respondents to allow petitioner to appear Combined Civil Services Examination – II (Interview Posts / Non-Interview Posts) (Group II Services / Group II-A Service) by 3rd respondent notification No. 03/2022 dated 23.02.2022 pursuant to the PSTM Act, 2010 as amended 40 of 2020 by considering the petitioner's representations dated 15.02.2022 and 29.04.2022.

Prayer in W.P.No. 28478 of 2022: Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the Government Order passed by the 1st respondent vide G.O.No.82 dated 16.08.2021 and quash the same and direct the 1st respondent to give reservation under Tamil Nadu Appointment on preferential basis in the services under the State of Persons Studied in Tamil Medium Act, 2010, as amended by Act 35 of 2020 (PSTM) to the petitioner in Combined Civil Services Examination – II (Interview Posts / Non Interview Posts) (Group – II Services / Group II A Service) by 2nd respondent notification No.03/2022 dated 23.02.2022 by considering the petitioner's representations dated 15.02.2022 and 28.04.2022.

For Petitioner : Mr.X.Selvam Sounder
in both WPs

For Respondents : Ms.G.Hema,
Standing Counsel for R2 & R3
in W.P.No. 12139 of 2022 and



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W.P.Nos.12139 & 28478 of 2022

for R2 in W.P.No. 28487 of 2022

Mr.K.Suresh,
Government Advocate
for R4 & R5 in W.P.No. 12139 of 2022
and
for R1, R3 and R4
in W.P.No. 28487 of 2022

COMMON ORDER

[Order of the Court was made by **M.SUNDAR, J.,**]

Captioned 'Writ Petitions' (hereinafter 'WPs' for the sake of brevity) pertains to 'The Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium Act, 2010 (Tamil Nadu Act 40 of 2010), as amended by The Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium (Amendment) Act, 2020 (Act 35 of 2020)' {hereinafter 'PSTM Act' for the sake of brevity, convenience and clarity). For the sake of convenience, 'W.P.No.12139 of 2022' shall be referred to as 'I WP' and 'W.P.No.28478 of 2022' shall be referred to as 'II WP'.

2. Mr.X.Selvam Sounder, learned counsel for writ petitioner in both WPs, Mr.K.Suresh, learned Government Advocate for R4 and R5



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in W.P.No. 12139 of 2022 and for R1, R3 and R4 in W.P.No. 28487 of 2022, Ms.G.Hema, learned standing counsel for TNPSC are before this Court.

3. The crux and gravamen of both the WPs turns on the writ petitioner's making a prayer to allow him to take the Combined Civil Services Examination – II (Interview Posts / Non Interview Posts) (Group – II Services / Group II A Service) as a PSTM candidate vide PSTM Act as amended by Act 40 of 2020.

4. Ms.G.Hema, learned standing counsel for TNPSC submits that the captioned matters have worked themselves out as parameters qua persons qualifying as PSTM were laid down vide 'G.O.Ms.No.82 Human Resources Management (S) Department dated 16.08.2021' (hereinafter 'said GO' for the sake of brevity, convenience and clarity), which is under challenge in II WP, said GO has since been amended by issue of 'G.O.(Ms) No.16 Human Resources Management (S) Department dated 15.04.2025' (hereinafter 'amended GO' for the sake of brevity, convenience and clarity). Learned standing counsel for TNPSC submits that owing to the amendment to said GO, writ



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petitioner became eligible and writ petitioner took the examinations pursuant to Notification 03/2022 dated 23.02.2022. Therefore, the purpose for which the WPs were filed by the writ petitioner has been achieved and therefore WPs have worked themselves out is learned counsel's further say. Mr.X.Selvam Sounder, learned counsel for writ petitioner confirms that writ petitioner took up the examinations vide aforementioned Notification.

5. Learned standing counsel for TNPSC submits on instructions that results have been announced and the writ petitioner has not come into the zone of consideration but we refrain from delving into this and expressing any view or opinion as that is outside the remit of the captioned WPs.

6. Considering the limited legal perimeter within which the captioned WPs perambulate, we refrain ourselves from delving more into PSTM Act, said GO and amended GO, however as the said GO and amended GO can always be subject to challenge on grounds other than those raised by the writ petitioner. If such a scenario unfurls, we deem it appropriate to write that all the rights and contentions of any



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other person including the writ petitioner whose rights may be touched upon by PSTM Act and/or said GO and/or amended GO, all questions are left open and this order will neither impede nor serve as an impetus. The reason is we have not tested the said GO on merits and we are giving a closure based on the trajectory the matter has taken.

7. Captioned WPs are disposed of as closed in the aforesaid manner. Consequently, captioned Writ Miscellaneous Petitions (WMPs) thereat are also disposed of as closed.

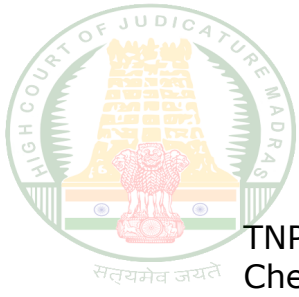
(M.S, J.) (P.D.B, J.)
09.06.2025

Index : Yes / No
Neutral Citation : Yes / No
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To

- 1.The Chief Secretary,
Government of Tamil Nadu
Secretariat, St.George Fort,
Chennai – 600 009.
- 2.The Chairman,
Tamil Nadu Public Service Commission,
TNPSC Road, Park Town,
Chennai – 600 003.
- 3.The Controller of Examinations,
Tamil Nadu Public Service Commission,

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- 4.The Principal Secretary,
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Secretariat, St.George Fort,
Chennai – 600 009.
- 5.The Principal Secretary,
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Namakkal Kavignar Maligai,
Fort St.George, Chennai – 600 009.
- 6.The Secretary to Government,
Government of Tamil Nadu,
Human Resources Management Department,
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**M.SUNDAR, J.,
and
P.DHANABAL, J.,**

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