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W.A No.3321 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2025

CORAM

THE HON'BLE MR JUSTICE R.SURESH KUMAR

AND

THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

W.A No. 3321 of 2025

And

CMP.No. 27150 of 2025

The Tamil Nadu Public Services Commission,
Rep by its Secretary,
Public Service Commission Road,
Park Town, Chennai-600003.

Vs

..Appellant

1.M.Sathya

2.The Director of Government Examination,
Chennai
(Suo-motu impleaded as per order
dated 30.04.2024)

..Respondents

Prayer : Writ Appeal is filed under Clause 15 of Letter Patent to set aside the orders dated 31.07.2024 passed in W.P. No. 12254 of 2024.

For Appellant: Mr. K. Karthik Jaganathan

For Respondents : Mr.R. Prem Narayan - R1
For Mr. K.T.S. Sivakumar
Mr.S. Yashwanth, AGP - R2



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JUDGMENT

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(Made by ***HEMANT CHANDANGOUDAR, J.***)

The challenge in this intra-court appeal is to the order dated 31.07.2024 passed by the learned Single Judge in W.P. No. 12254 of 2024. By the said order, the appellant was directed to assign rank to the respondent/writ petitioner under the PSTM category by applying the benefit of 20% reservation under the Tamil Nadu Appointment on Preferential Basis in the Services under the State of Persons Studied in Tamil Medium Act, 2010, and to issue an appointment order for the post of Assistant in the Rural Development and Panchayat Raj Department, Tiruppur, forthwith.

2. Pursuant to the notification dated 23.02.2022 issued by the appellant, the respondent/writ petitioner submitted an application for recruitment under the PSTM quota. In the written examination, she secured 70.5 marks in Paper-I and 14.025 marks in Paper-II. Her overall rank is 5931 and her communal rank is 1765. However, she was not considered under the PSTM category on the ground that she had studied up to the 11th standard in Tamil medium but had passed the 12th examination as a private candidate. Therefore, she was held to



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be not entitled to appointment under the PSTM quota as per G.O. No. 82, Human Resources (S) Department, dated 16.08.2021. The learned Single Judge, after hearing the parties, passed the impugned order. Aggrieved by the same, the present writ appeal has been filed.

3. Mr. K. Karthik Jaganathan, learned Standing Counsel for the appellant, submitted that the respondent/writ petitioner had studied in Tamil medium up to the 11th standard and thereafter passed the 12th examination as a private candidate. Therefore, in view of sub-clause (iv) of Clause 4 of the Government Order dated 15.04.2025 bearing G.O. Ms. No. 16 issued by the Human Resource Management (S) Department, the respondent/writ petitioner is not entitled to appointment under the PSTM category. Hence, the impugned order passed by the learned Single Judge is contrary to the said Government Order and is not sustainable in law.

4. In response, Mr. R. Prem Narayan, learned Counsel for the first respondent/writ petitioner, submitted that sub-clause (iv) of Clause 4 of the said Government Order is not applicable to the respondent/writ petitioner, as it applies only to candidates who passed the examination in Tamil medium as



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private candidates without regular schooling. In the present case, the respondent/writ petitioner had studied up to the 11th standard in Tamil medium in a recognized school and, due to unavoidable circumstances, discontinued her studies and completed her 12th standard as a private candidate. The learned Single Judge, after considering all these aspects, rightly passed the impugned order, which does not warrant interference.

5. We have heard the submissions made by the learned counsel for both parties and perused the materials placed on record.

6. A bare reading of G.O. Ms. No. 16 dated 15.04.2025, which relates to appointment on a preferential basis in the services under the State for Persons Studied in Tamil Medium Act, 2010 and was issued to implement an order of the Madurai Bench of the Madras High Court, reveals that sub-clause (iv) of Clause 4 states that candidates who have passed examinations in Tamil medium directly as private candidates without attending school are not eligible for preference.



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7. In the present case, the respondent/writ petitioner admittedly studied up to the 11th standard in Tamil medium in a recognized school but, due to unavoidable circumstances, discontinued schooling and appeared privately for the 12th standard examination. The learned Single Judge, upon perusal of the mark sheet produced by the respondent/writ petitioner, noted that she had appeared for the 12th standard examination in Tamil medium and observed that it would be improbable for a student who studied up to the 11th standard in Tamil medium to suddenly write the 12th examination in English medium. Moreover, the respondent was issued a PSTM certificate for her 12th standard by the Department of Government Examinations, certifying that she studied in Tamil medium.

8. Admittedly, sub-clause (iv) of Clause 4 of the said Government Order applies only to candidates who did not study in a recognized school but passed examinations in Tamil medium privately. Therefore, since the respondent/writ petitioner had successfully studied up to the 11th standard in Tamil medium in a recognized school, she cannot be treated as a private candidate within the meaning of that clause. The said clause applies only to candidates who have not substantially attended school and are, therefore, ineligible for preference



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9. The learned Counsel for the respondent/writ petitioner has also placed on record the memorandum dated 26.09.2025 issued by the appellant, appointing the respondent/writ petitioner to the post of Assistant in the Rural Development and Panchayat Raj Department, Tiruppur, subject to the outcome of the cases relating to this recruitment pending before the High Court of Madras / Madurai Bench of the Madras High Court / Supreme Court.

10. In light of the above, it is evident that the respondent/writ petitioner has satisfied all the prerequisite conditions for appointment under the PSTM category. We find no illegality or infirmity in the impugned order passed by the learned Single Judge.

11. Accordingly, the writ appeal stands dismissed. Consequently, the connected miscellaneous petition is closed. There shall be no order as to costs.

(R.S.K.,J)

(H.C., J)

25.11.2025

Index : Yes / No

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Neutral Citation : Yes / No

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To

The Director of Government Examination,
Chennai



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R. SURESH KUMAR, J.

and

HEMANT CHANDANGOUDAR, J.

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