



WEB COPY



W.A. No.858 of 2025

R.SUBRAMANIAN, J.
and
K.SURENDER, J.

[Order of the Court was made by
R.SUBRAMANIAN, J.]

A mistake has crept in typing the name of the counsel for the parties, hence today, the matter has been listed under the caption "for being mentioned."

2. The Registry is directed to show Mr.M.Muthappan, as the counsel for the appellant and Mrs.G.Hema, learned Standing Counsel for respondent and issue a corrected order copy.

[R.S.M., J.] [K.S., J.]
02.07.2025

jv



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.A.No. 858 of 2025
and
C.M.P.No. 7275 of 2025

C.Panneer Selvam

... Appellant

Vs.

The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road, Park Town,
Chennai – 600003.

...Respondent

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, against the order dated 19.02.2024 made in W.P.No.31937 of 2017.

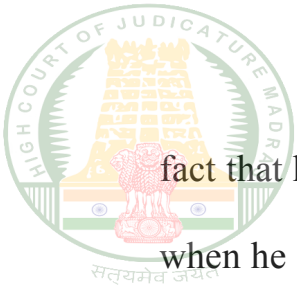
For Appellant : Mr.M.Muthappan

For Respondent : Mrs.G.Hema, Standing Counsel

J U D G M E N T

(Judgment of the Court was made by R.SUBRAMANIAN, J.)

We see no merit in the appeal. The petitioner was denied appointment, since he had not produced the necessary certificate in proof of



fact that he had undergone the entire education in Tamil medium at the time when he applied. This was challenged by the petitioner and the writ Court,

rejected the challenge in W.P.No.9208 of 2013 by order dated 09.08.2016.

This order was affirmed by a Division Bench of this Court in W.A.No.229 of 2017 by order dated 28.07.2017. The Division Bench however, taking a lenient view, issued the following directions:-

“7. In the above stated circumstances, respondent to consider the case of the appellant and take a decision in accordance with law, as to whether he may be posted in the interview post, if any vacancy arises due to non-reporting of any persons selected or due to resignation. It is made clear that this order shall not be quoted as a precedent by others.”

2. In compliance with the said directions, the claim of the petitioner was again re-examined and the Tamil Nadu Public Service Commission rejected the claim of the petitioner on the ground that he has not secured the necessary cut off marks for being accommodated. The petitioner challenged the said order and the writ Court by the order impugned in this appeal has rebuked the challenge on the ground, the petitioner has not obtained necessary cut off marks for being considered under the open category.



3. It is not shown that there were any vacancies in the category reserved for persons studied in the Tamil medium. In the absence of such

vacancy, the TNPSC was justified in rejecting the claim of the petitioner.

Hence, we see no reason to interfere with the order of the writ Court. This

Writ Appeal therefore, fails and it is accordingly, **dismissed**. No costs.

Consequently, connected miscellaneous petition is closed.

(R.S.M., J.) (G.A.M., J.)
26.03.2025

kkn

Index: No

Speaking order

Neutral Citation : No

To:

The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road,
Park Town, Chennai – 600003.



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R.SUBRAMANIAN, J.
and
G. ARUL MURUGAN, J.

KKN

W.A.No. 858 of 2025
and
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26.03.2025