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W.P.No.24976 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.12.2025

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THE HON'BLE Mr. JUSTICE M.DHANDAPANI

W.P.No.24976 of 2025
and W.M.P.Nos.28142 & 28144 of 2025

E.Thamizhannai

... Petitioner

Vs.

1.The Home Secretary,
Cum Additional Chief Secretary,
Home Department,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai – 600 009.

2.The Secretary,
The Tamil Nadu Public Service Commission,
TNPSC Road, V.O.C.Nagar,
Park Town, Chennai – 600 003.

3.The Director of Prosecution,
Office of Director of Prosecution,
Tamil Nadu Slum Clearance Board,
Annex Building 1st Floor,
Complex No.5, Kamarajar Salai,
Chennai – 600 005.

... Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India



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praying to issue a Writ of Certiorarified Mandamus calling for the records of the second respondent in his proceedings in Notification No.10/2021 (Reserve List) dated 22.11.2024, only in so far as Backward Classes (Other than backward class Muslims) (General) – PSTM (S) category and quash the same as illegal and consequently direct the second respondent to appoint the petitioner and fix the petitioner's name in the Seniority for the post of Assistant Public Prosecutor, Grade II under Backward Classes (Other than backward class Muslims) (General) – PSTM (S) with all consequential benefits.

For Petitioner : M/s.S.Vasavi Sridevi

For Respondents 1 & 3 : Mr.P.Balathandayutham,
Special Government Pleader

For Respondent 2 : Mr.R.Bharanidharan,
Standing Counsel (TNPSC)

ORDER

The relief sought in this writ petition is to call for the records of the second respondent in his proceedings in Notification No.10/2021 (Reserve List) dated 22.11.2024, only in so far as Backward Classes (Other than backward class Muslims) (General) – PSTM (S) category and quash the same as illegal and consequently direct the second respondent to appoint the petitioner and fix the petitioner's name in the Seniority for the post of Assistant Public Prosecutor, Grade II under

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Backward Classes (Other than backward class Muslims) (General) –
PSTM (S) with all consequential benefits.

2. The case of the petitioner is that the petitioner belongs to Backward Classes (Other than Backward Class Muslims) community and applied for direct recruitment to the post of Assistant Public Prosecutor Grade II in the Prosecution Department under the Tamil Nadu General Service, pursuant to the notification dated 25.08.2021. Though the petitioner has pursued her entire education, including her Bachelore of Law (B.A., B.L.) degree through Tamil Medium, she was unable to obtain the Person Studied in Tamil Medium (PSTM) certificate, at the time of submitting her application and therefore, she applied under the General Category. Thereafter, the petitioner has obtained PSTM certificate, by virtue of the order dated 03.10.2024, passed by this Court in W.P.No.29927 of 2024.

3. It is the further case of the petitioner that after obtaining the PSTM certificate, the petitioner has submitted a detailed representation dated 22.10.2024 before the first respondent to consider her candidature



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under the PSTM quota. Under these circumstances, the second respondent published a Reserve List on 22.11.2024, wherein, the petitioner's name was mentioned in General Turn (General), Backward Classes (Other than Backward Class Muslims) (General), Backward Classes (Other than Backward Class Muslims) (Women). However, the petitioner's name was not found in the Backward Classes (PSTM). Therefore, the petitioner has come forward with the present writ petition.

4. Learned counsel for the petitioner would submit that admittedly, the petitioner has not annexed the PSTM certificate along with the application, since the said certificate was not available with her at the time of submitting the application. Thereafter, she obtained the PSTM certificate on 04.10.2024, by virtue of the order dated 03.10.2024 passed by this Court in W.P.No.29927 of 2024. Though the petitioner has obtained the PSTM certificate, the second respondent has not considered her candidature for direct recruitment to the post of Assistant Public Prosecutor Grade II under the PSTM category and issued the Reserve List dated 25.08.2024. Accordingly, he prays for appropriate orders.



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5. Per contra, learned Standing Counsel appearing for the second

respondent would submit that the relief sought by the petitioner cannot be granted since the petitioner has obtained the PSTM certificate only on 04.10.2024, which is after the completion of the selection process. Moreover, the petitioner has not made any claim under PSTM category at the time of submitting her online application.

6. Heard the learned counsel on either side and perused the materials available on record.

7. In the present case on hand, admittedly, the petitioner made an online application for the post of Assistant Public Prosecutor Grade II and also participated in the examinations held on 06.11.2021, 07.05.2022 and 08.05.2022. Thereafter, the petitioner's name appeared in the impugned Reserve List dated 25.08.2024, published on 22.11.2024. In the said Reserve List, the petitioner's name was mentioned under General Turn (General), Backward Classes (Other than Backward Class Muslims) (General), Backward Classes (Other than Backward Class Muslims) (Women) and not under the category of Backward Classes (PSTM). As



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rightly contended by the learned standing counsel appearing for the second respondent, the petitioner has obtained the PSTM certificate only on 04.10.2024, much after the selection process is over. Therefore, the said certificate cannot be taken into consideration for considering the petitioner's candidature under the PSTM category.

8. Further, the cut off marks of petitioner's eligible categories are General Turn (General) - 283, General Turn (Women) - 287.25, Backward Class (General) - 272.50, Backward Class (Women) – 275. For the Backward Class (General) (PSTM), the cut-off mark is 272. The petitioner is eligible for consideration only under Non-PSTM category. If the petitioner had secured 272.50 or 275, she would have been considered for the post of Assistant Public Prosecutor Grade-II, under the Backward Class (General) or Backward Class (Women) categories. However, the petitioner has secured only 270.25. Hence, her candidature was not considered and further, the selection process was concluded in the year 2021, which cannot be interfered at a later point of time. Accordingly, the prayer sought in this writ petition is rejected.



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In the result, this writ petition stands dismissed. No costs.

Consequently, connected miscellaneous petitions are closed.

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Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

To

- 1.The Home Secretary,
Cum Additional Chief Secretary,
Home Department,
Government of Tamil Nadu,
Secretariat, Fort St.George,
Chennai – 600 009.
- 2.The Secretary,
The Tamil Nadu Public Service Commission,
TNPSC Road, V.O.C.Nagar,
Park Town, Chennai – 600 003.
- 3.The Director of Prosecution,
Office of Director of Prosecution,
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M.DHANDAPANI.J,

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