



W.A(MD)No.1500 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved On : 19.09.2025

Pronounced On : 28.11.2025

CORAM:

**THE HONOURABLE DR.JUSTICE ANITA SUMANTH
AND
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

**W.A.(MD)No.1500 of 2022
and
C.M.P(MD)No.12511 of 2022**

1.The Chairman
Tamil Nadu Public Service Commission
V.O.C.Nagar, Park Town,
Chennai-600 003.

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

...Appellants/Respondents 2 & 3

/Vs./

1.A.Anbalagan

...1st Respondent/
Writ Petitioner

2.The State of Tamil Nadu,
Rep by its Secretary,
Personal and Administrative Reforms Department,
Fort St.George,
Chennai-600 009.

...2nd Respondent/



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1st Respondent

PRAYER:- Writ Appeal - filed under Clause 15 of Letters Patent, against the order dated 19.09.2022 passed by this Court in W.P(MD)No.177 of 2020.

For Appellant : Mr.J.Ravindran,
Additional Advocate General,
Assisted by Mr.J.Anandkumar
For R1 : Mr.N.Dilipkumar,
for Mr.B.Arun
For R : Mr.M.Sarangan, Addl. Govt. Pleader

JUDGMENT
(Per Bench)

The appellants herein are the second and third respondents before the writ Court. The first respondent herein was the writ petitioner and the second respondent herein was the first respondent before the writ Court.

2.The parties will be referred to according to their litigative status before the writ court. To be noted that although the State is arrayed as a Respondent in this appeal (R2), the Appellants and R2 are aligned in their stand.

3.The brief facts which give rise to the instant writ petition are



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as follows. The writ petitioner belongs to the backward class community.

It is his further case that he is eligible to have a preferential reservation under 20% quota for the *Persons Studied in Tamil Medium* (PSTM) category. He had applied for a post in Group-I Services as per Notification No.1/2019, successfully qualified in the preliminary and main examinations, and the interview.

4. His name did not find place in the short-list and it is his specific submission that, had the selection under PSTM category preferential reservation been undertaken in its true spirit, the writ petitioner might well have come within the zone of consideration. In fine, he was not selected, the Public Service Commission not appreciating the true intent of Tamil Nadu Act 40 of 2010.

5. Hence, the writ petitioner challenged the ranking list contending that it did not follow the established procedure in reservation of *Persons Studied in Tamil Medium*, and seeking a direction that the Public Service Commission appoint him in any available vacancy. The writ petition came to be allowed as against which order the present appeal is filed.

6. Heard Mr.J.Ravindran, learned Additional Advocate General,



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appearing for Mr.J.Anandkumar, for the appellant, Mr.N.Dilipkumar, learned counsel appearing for Mr.B.Arun, for the first respondent and Mr.M.Sarangan, learned Addl. Govt. Pleader appearing for the second respondent.

7.Except the interpretation of Act 40 of 2010 to determine who would come within the PSTM category, the factual aspects of the present matter are not in dispute. Section 2(d) of the Act defines the phrase '*persons studied in Tamil Medium*' as follows:

'(d)persons studied in Tamil Medium" means persons who have obtained the educational qualification or qualifications prescribed for direct recruitment in the rules or regulations or orders applicable to any appointment in the services under the State through Tamil Medium of instruction.'

8.According to the second respondent, as the eligibility criteria for a candidate to be considered under PSTM category are premised upon the qualifications prescribed for direct recruitment, being a UG degree, those who had secured a UG degree in Tamil medium, are eligible.

9.The very same argument was put forth by the second respondent in W.P(MD)No.8025 of 2020 [*G.Sakthi Rao v. The Chief Secretary, Government of Tamil Nadu, Secretariat, St.George Fort,*



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Chennai-600 009]. The challenge in that matter was as against Notification No.01 of 2020 dated 20.01.2020 and the short list of PSTM candidates.

10.A direction was sought to allow only candidates who had completed their entire education ie., 10th std, 12th std and Degree through Tamil Medium, to avail reservation under the PSTM quota among other directions.

11.The Division Bench of this Court, vide order dated 22.03.2021, repelled the contentions of the State, holding as follows:

‘33. Mr. Isaac Mohanlal, learned Senior Counsel pointed out that in the notification regarding recruitment to the vacancies for the posts included in Combined Civil Services-I Examination (Group I Services) dated 20.01.2020, there is a note in page No.8, which is as follows: "Note: (i) The qualification prescribed for these posts should have been obtained by passing the required qualification in the order of studies viz., 10th + HSC or its equivalent + U.G. Degree from the recognised Institutions as required under Section 25 of Tamil Nadu Government Servants (Conditions of Service) Act, 2016." The above note would make it abundantly clear that the qualification prescribed for the post should have been obtained after having required qualification in Tamil Medium namely, X standard + HSC or its equivalent + UG degree from a recognised institution. Therefore, it is farfetched to contend that obtaining prescribed qualification,



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namely, degree alone in Tamil Medium is in compliance with the Act. In view of the above, the impugned notification challenged before this Court is sustained and there will be a further direction to the 3rd respondent to allow only candidates those who completed their entire education or from their schooling upto the desired degree or to the prescribed qualification in Tamil Medium to avail the PSTM quota. It is made clear that those who have superficially or artificially tried to comply with the provisions of the Act, by merely getting the prescribed qualification alone in Tamil Medium are not entitled to the benefit and the procedure followed by the respondents is deprecated as it is against the very provisions of the Act.'

(emphasis supplied)

12. Therefore, it is amply clear that the phrase '*qualification prescribed*' would include study from the stage of elementary education till the attainment of the required qualification prescribed for the post. Accordingly, and to have the benefit of preferential PSTM quota, the law stands settled that the candidate should have studied in Tamil medium from the stage of elementary education till, and including, the prescribed degree.

13. In *Sakthi Rao's* case (*supra*), the Division Bench has ultimately issued the following directions:

'(1). The impugned notification itself is as per the



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interpretation given by the petitioner in the prayer viz., to allow only the candidates those who have completed their entire education i.e., from 1st std to 10th std, then 12th std and thereafter, Degree or prescribed qualification only through Tamil Medium to avail PSTM quota and hence it is valid.

(2). The recruitment under the impugned notification is governed by this order.

(3). There shall be a direction to the Respondents to give 20% PSTM reservation only to those who studied their entire education through out in Tamil medium viz., right from 1st standard upto prescribed qualification.

(4). 20% reservation for PSTM candidates shall be applied at every stage of recruitment.

(5). The PSTM Act 2010 and the amendment Act 2020 are constitutionally valid, as the act is to remove the disability sustained by the Tamil medium students due to education in Tamil medium viz., inability to get employment in Central Government as well as in other State Services, Private Sectors.

(6). The Chief Secretary shall direct the Department of School Education and Higher Education to strictly indicate the medium of instruction in the certificates itself viz., Tamil or English in which the student undergo the course in 10th std, 12th std, Degree and Post Graduate Degree, if not already indicated.

(7). The third respondent shall also get the certificates verified from the school or college authorities with regard to those candidates who apply under PSTM quota and also make it 55/59 <https://www.mhc.tn.gov.in/judis/> W.P.(MD) No. 8025 of 2020 mandatory to produce the proof for having benefitted the scholarship for undergoing education in Tamil Medium and also completion certificate for having studied in Tamil Medium issued by the Institutes as per the full bench judgment of this Court dated 27.09.2019 in W.P.No.27127 of 2018 in the case of R.Boominathan Vs. The Government of



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Tamil Nadu.

(8).

(9).

(10).

(11).

(12). *The Government shall not appoint candidates who obtained cross major subject degrees in Tamil as Tamil Teachers.”*

14.Importantly, an amendment was carried out to Section 2(d) of the 2010 Act vide Act 35 of 2020, during the pendency of the litigation in *Sakthi Rao*, bringing the definition of ‘*Persons Studied in Tamil Medium*’ in line with the interpretation of the Division Bench. The amended definition reads as follows:

‘Part IV-Section 2

Tamil Nadu Acts and Ordinances

.....

.....

1. (1) This Act may be called the Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium (Amendment) Act, 2020.

(2) It shall come into force at once.

2. In section 2 of the Tamil Nadu Appointment on preferential basis in the Services under the State of Persons Studied in Tamil Medium Act, 2010, for clause (d), the following clause shall be substituted, namely:-



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"(d) "person studied in Tamil medium" means a person who has studied through Tamil medium of instruction upto the educational qualification prescribed for direct recruitment in the rules or regulations or orders applicable to any appointment in the services under the State.

Explanation.-- For the purpose of this clause,

(i) in cases, where SSLC is prescribed as the educational qualification, one shall have studied upto SSLC through Tamil medium of instruction;

(ii) In cases, where a Higher Secondary Course is prescribed as the educational qualification, one shall have studied SSLC and the Higher Secondary Course through Tamil medium of instruction;

(iii) in cases, where a diploma is prescribed as the educational qualification, one shall have studied SSLC and the diploma through Tamil medium of instruction or if the diploma is obtained after completion of Higher Secondary Course then one shall have studied SSLC, Higher Secondary Course and the diploma through Tamil medium of instruction;

(iv) in cases, where a degree is prescribed as the educational qualification, one shall have studied SSLC, Higher Secondary Course and the degree through Tamil medium of instruction;

(v) in cases, where a post-graduate degree is prescribed as the educational qualification, one shall have studied SSLC, Higher Secondary Course, degree and the post-graduate degree through Tamil medium of instruction."

15.The matter was carried in appeal, at the instance of the State, and the Supreme Court in *S.Shriram Vs. G.Sakthi Rao and Ors.*, in



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S.L.P(Civil)No.3364 and 3367 of 2022 vide order dated 31.07.2023, has upheld order dated 22.03.2021 of the Division Bench, observing that the amendment made in the year 2020 by Act 35 of 2020 is clarificatory in nature. For ready reference, para 10 of the judgment is extracted below:

'10. When we look at the 2010 enactment in the above light, the amendment incorporated in the year 2020 has to be construed as nothing more than a clarificatory amendment of what was originally provided for in the 2010 Act. Some ambiguity remained in the interpretation of the term "persons studied in Tamil Medium" as defined under Section 2(d). The amending Act of 2020 is only to ensure proper construction of Section 2(d) to achieve the objective of the Act so that only those who have pursued their education in Tamil medium, would be entitled to complete for 20% of the jobs in the State earmarked for them.'
(emphasis supplied)

16. Faced with the above position, the second respondent would now argue that the ratio in *Sakthi Rao's* case will be applicable only prospectively, from the date of the above order, viz., from 22.03.2021, and accordingly, is inapplicable to the writ petitioner's case.

17. Learned AAG confirms that, on and after the passing of Act 35 of 2020 viz., from 07.12.2020, State-wide recruitments under PSTM category relate only to those candidates who had studied in Tamil medium of instruction throughout their academic career. However, and



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notwithstanding that the second respondent agrees with the interpretation put forth by the appellant, they seek to deny the benefit to him on the pretext that Act 35 of 2020 came into effect only on and from 07.12.2020.

18.The respondents, at paragraph 9 of the counter filed in the writ petition have stated as follows:

‘In other words, as per the PSTM Act, 2010 & G.O.Ms.No.145, P& AR(S) Department, dated 30.09.2010 the educational qualification prescribed for direct recruitment should have been acquired through Tamil Medium of Instruction ie., if the prescribed educational qualification is Minimum General Educational Qualification (ie., SSLC), then the applicant should have studied SSLC through Tamil medium of Instruction. Likewise if the prescribed educational qualification is HSC / Degree / PG Degree, then the applicant should have studied HSC / Degree / PG Degree through Tamil Medium of instruction as the case may be. Following the same analogy, the selections had been made hitherto to the posts included in the said recruitment viz., Combined Civil Services Examination-I(Group-I) and other recruitments from the inception of PSTM Reservation.’

19.The averments as above are diametrically opposed to the ratio of the judgement in Shakthi Rao’s case, and in fact, contrary to the very amendment brought in by the State in 2020. We thus reject the



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argument that it is that only on, and from 07.12.2020, and by virtue of Act 35 of 2020, that the phrase 'PSTM' should be read as urged by the writ petitioner. Instead, we accept the stand of the writ petitioner, and confirm the order of the writ Court on this aspect.

20.The contention of TNPSC has been that the cut-off for the PSTM category is 485.25, whereas the writ petitioner has secured only 479.25. Hence, according to them, the writ petitioner would stand outside the zone of consideration. In light of our conclusion supra, this argument is of no relevance, as the yardstick by which the assessment of the candidates has been undertaken by the TNPSC and the State is itself found to be erroneous.

21.The Appellants have conducted the assessment/selection based on the unamended definition of Section 2(d) whereas, it is the amended provision that would apply. Hence it is only those candidates who have undertaken study in Tamil medium throughout, upto and including the qualifying course, who would be eligible.

22.The subject matter of consideration by the Division Bench in *Sakthi Rao's* case is a similar Notification to what we are concerned with. In conclusion, the Bench holds categorically, at point (2), that '*The*



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recruitment under the impugned notification is governed by this order'.

We are thus left in no doubt that the case of the writ petitioner should also be governed by the ratio of *Sakthi Rao's* case, and the amended definition of PSTM.

23.Learned Additional Advocate General, based upon a Position Note circulated at the time of hearing, submits that there are no unfilled vacancies. This submission stands belied by Notification No. 4/2025 dated 01.04.2025 calling for applications for 70 Group-I posts.

24.We however concur with the writ Court that the entire list of PSTM candidates for the year 2019 need not be disturbed on this account. The second respondent will prepare a selection list for PSTM category in line with the directions given in *Sakthi Rao*, and if the writ petitioner comes within the merit list, he will be accommodated in a supernumerary post.

25.He is entitled to continuity of service from the date of joining of the last candidate who had been selected pursuant to the selection held against the 2019 Notification, and the writ petitioner will be placed at the bottom of the list with all consequential benefit of seniority increment, though sans financial benefits. This exercise will be



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completed within a period of four weeks from date of receipt of a copy of this order.

26.In the result, this Writ Appeal stands dismissed. No costs.

Consequently, connected miscellaneous petition is closed.

[A.S.M.J.] & [C.K.J.]
28.11.2025

NCC : Yes/No
Index : Yes/No
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To
1.The Chairman
Tamil Nadu Public Service Commission
V.O.C.Nagar, Park Town,
Chennai-600 003.

2.The Secretary,
Tamil Nadu Public Service Commission,
V.O.C.Nagar, Park Town,
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**DR.ANITA SUMANTH, J.
AND
C.KUMARAPPAN, J.**

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Order made in
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Dated:
28.11.2025