



W.P. No.848 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.01.2026

CORAM:

THE HON'BLE MR. JUSTICE **M. DHANDAPANI**

W.P. No.848 of 2026
and W.M.P.No.1031 of 2026

S.Suresh

... Petitioner

Vs

Tamil Nadu Public Service Commission,
Rep. by its Secretary,
TNPSC Road, Park Town,
Chennai – 600 003.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, directing the respondent to consider the claim of the petitioner for appointment as Assistant Public Prosecutor Grade-II in the category of SC-PwBD pursuant to the Notification No.13/2024 dated 13.09.2024 forthwith by appropriately adjusting the merit candidates in SC (General) as well as the over representation of the female candidates in the said category.

For petitioner : Mr.L.Chandrakumar

For respondent : Mr.R.Bharanidharan

ORDER

This Writ Petition has been filed for direction directing the respondent to consider the claim of the petitioner for appointment as Assistant

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Public Prosecutor Grade-II in the category of SC-PwBD pursuant, to the Notification No.13/2024 dated 13.09.2024 forthwith by appropriately adjusting the merit candidates in SC (General) as well as the over representation of the female candidates in the said category.

2. The petitioner belongs to Schedule Caste Hindu Adi Dravidar community and also a physically challenged person with 60% Loco Motor Disability. He possessed with B.L., and M.L., degree from the Dr.Ambedkar Law University, Chennai and got enrolled himself in the Bar Council of Tamil Nadu & Puducherry and he is in active practice in the lower Courts from 2017 onwards. The further case of the petitioner is that pursuant to the notification No. 13 of 2024 dated 13.09.2024, calling for direct recruitment to the post of Assistant Public Prosecutor Grade-II, in the prosecution department in which he made application for the said post under SC- Physically disabled with Benchmark disability (hereinafter referred to as “PwBD”) category and Person Studied in Tamil Medium (hereinafter referred to as “PSTM”) category. In the said notification, the last date for submission of application was fixed as 18.10.2024 and the preliminary examination was conducted on 14.12.2024. In the meanwhile another notification No.13/B dated 03.04.2025 was issued which means, after the preliminary examinations were over, there was an amendment



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called Addendum wherein and whereby the number of vacancies was revised from 51 to 50 i.e., General Turn (G) which was initially notified as 8 was reduced to 7.

3. Further on 20.11.2025, the respondent issued a notice stating that physical certificate verification and interview to be held on 11.12.2025 & 12.12.2025 respectively, and published consolidated mark list, wherein the petitioner had obtained 124.25 marks in the main written examination and 40.50 marks in the interview in aggregate he secured 164.75 marks. However, in the very same category one meritorious candidate who obtained 232 marks was selected and the petitioner was not selected. For non selection of the petitioner, the petitioner filed the present Writ Petition with the above said prayer.

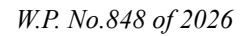
4. The learned counsel appearing for the petitioner would submit that admittedly there was over representation for the women candidates and as per the notification only three posts were allotted to the SC women category viz., SC-W, SC-W-PSTM and SC-A-W. Whereas the selection was made to an extent of 8 which is over and above of 30% which is impermissible one. Hence, the said post has to be allotted to the meritorious candidates and if it is allotted, then the petitioner being a meritorious candidate, he will be selected. The meritorious



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candidates, who have secured more than the SC General category, should be accommodated the SC General category in which the SC-PwBD category become vacant in which the petitioner will be suit in the post. Further, there was an over representation on the women candidates and if the said post allotted to the meritorious candidate, in which the petitioner made application for SC PwBD category and in the said post the petitioner can be accommodated. On the sole ground the present Writ Petition is filed.

5. Per contra, the learned counsel appearing for the respondent would submit that admittedly, as per the notification, the women candidates were allotted to 14 posts and out of which, 3 posts were allotted to SC category. However selection was made to an extend of 8 posts in the SC category. However, in respective of gender men or women, the meritorious candidates will be allotted as per the marks obtained by them in the competitive examination. It cannot be said that it is over representation for the women candidature. Apart from the vacancies allotted to the woman candidates, even meritorious woman candidates are entitled to get accommodation in the other category. Hence, the representation made by the petitioner is misconceived.



7. In the petitioner's category, one meritorious candidate was appointed, who scored 232 marks whereas the petitioner secured only 164.75 marks. Even if the meritorious candidature converted into general category, the next line of a person is available in the very same category who secured 177 marks and also suffered with loco motor disability. Since, one person is available over and above the petitioner, the prayer sought by the petitioner is misconceived and this Court is not inclined to entertain this Writ Petition.

8. For the reasons aforesaid, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

22.01.2026

Index : Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
rts



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M. DHANDAPANI, J.

rts

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

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