



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01-04-2026

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THE HONOURABLE MRS JUSTICE S.SRIMATHY

WP(MD) NO. 8746 of 2026

1. A.Sivakumar

2. R.S.DIWAGAR

Petitioner(s)

Vs

1. The State of Tamilnadu

Rep. by its Principal Secretary to Government

Municipal Administration and Water Supply Department

Secretariat, Chennai - 9.

2. The Director of Municipal Administration and Water Supply

Directorate of Municipal Administration and Water Supply Department

No.75, Urban Administrative Building

MRC Nagar

Raja Annamalaipuram

Chennai.

Respondent(s)

For Petitioner(s): Mr.S. Vignesh Shunmugam

For Respondent(s): Mr.B.Ramanathan, Additional Government Pleader

Prayer:

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of MANDAMUS directing the Respondents to publish the reserve list and conduct counseling for each communal category pursuant to the provisional selection list published by the 2nd Respondent vide proceedings No. Nil dated 04.07.2025, pursuant to Notification No.01/DMA/Recruitment/2024 dated 02.02.2024 issued by the 2nd Respondent, in accordance with Section 3(u) of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016, and in the light of the proceedings passed by the 2nd Respondent in Na.Ka.No.14859/2022/M1 dated 14.11.2025, by considering the Petitioners representations dated 16.12.2025 and 04.03.2026 within the period that may be stipulated by this Court.



ORDER

The present Writ Petition has been filed for the issuance of a Writ of Mandamus, to direct the respondents to publish the reserve list and conduct counseling for each communal category pursuant to the provisional selection list published by the 2nd Respondent vide proceedings No. Nil dated 04.07.2025, pursuant to Notification No. 01/DMA/Recruitment/2024 dated 02.02.2024 issued by the 2nd Respondent, in accordance with Section 3(u) of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016, and in the light of the proceedings passed by the 2nd Respondent in Na.Ka.No.14859/2022/M1 dated 14.11.2025, by considering the Petitioners representations dated 16.12.2025 and 04.03.2026 within the period that may be stipulated by this Court.

2.The contention of the petitioner is that the respondents are bound to publish the selected list as well as the reserve list as per the judgment rendered by the Honourable Division Bench in the case of M.S.Kalaivani Vs. The Secretary, Tamil Nadu Public Service Commission reported in 2025 SCC OnLine Mad 2076. The relevant portion of the judgment is extracted hereunder:

"36. In that view of the matter, this Court is inclined to dispose of the writ appeal with the following orders:

(i) that the impugned order of the writ Court is set aside. As a sequel, the stand of TNPSC reflected or emanated from TNPSC Office Order No.134



dated 12.11.2020 is declared as unenforceable in view of the mandatory legal provisions of 2016 Act.

(ii) As a result of which, TNPSC is bound to publish a Reserve List in each of the communal category even for the Combined Civil Services Examination-II (Interview Posts) (Group-II Services) pursuant to Notification No.7/2015 dated 30.04.2015.

(iii) Therefore, there shall be a direction to TNPSC to prepare a Reserve List in each of the communal category including the general turn category and such a list consisting of not less than 25% equal to the selected candidates be published by TNPSC within a period of four weeks from the date of receipt of a copy of this order.

(iv) Coming to the relief sought for by the appellant / petitioner, even though the appellant / petitioner claimed that she being in Serial No.1572 comes next to the last person selected in BC category who stood in Serial No.1546, whether the appellant / petitioner also would be entitled to get such a benefit of selection and appointment pursuant to the said selection based on the Notification No.7/2015 dated 30.04.2015 shall be decided by TNPSC in accordance with the law and to that extent, the issue is left to TNPSC to finalise and communicate the same to the appellant / petitioner. "

Even though the said judgment is against TNPSC, it is applicable to all the recruiting agencies.

3. In the present case, the second respondent being the recruiting agency is bound to publish the reserve list within a period of four weeks from the date of receipt of a copy of this order. After publishing the reserve list, the respondents shall take further



proceedings as per law.

4. With the above observations, this Writ Petition is allowed. There shall be no order as to costs.

01-04-2026

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To

1. Principal Secretary to Government
Municipal Administration and Water Supply Department
Secretariat, Chennai - 9.

2. The Director of Municipal Administration and Water Supply
Directorate of Municipal Administration and Water Supply Department
No.75, Urban Administrative Building
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