

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Friday, the Fourth day of December Two Thousand and Twenty

PRESENT

The Hon`ble Mr.Justice N.KIRUBAKARAN
and
The Hon`ble Mr.Justice B.PUGALENDHI

WP(MD) No.8025 of 2020

G.SAKTHI RAO

... PETITIONER

Vs

- 1 THE CHIEF SECRETARY,
GOVERNMENT OF TAMIL NADU,
SECRETARIAT,
ST.GEORGE FORT, CHENNAI-9.
- 2 THE SECRETARY.
DEPARTMENT OF HIGHER EDUCATION,
GOVERNMENT OF TAMIL NADU,
SECRETARIAT,
ST.GEORGE FORT, CHENNAI-9.
- 3 THE SECRETARY,
TAMILNADU PUBLIC SERVICE COMMISSION,
TNPSC ROAD, PARK TOWN, CHENNAI-3.
- 4 THE REGISTRAR,
ALAGAPPA UNIVERSITY,
ALAGAPPA NAGAR, KARAIKUDI-600303.
- 5 THE REGISTRAR,
ANNAMALAI UNIVERSITY,
ANNAMALAINAGAR, CHIDAMBARAM-608002.
- 6 THE REGISTRAR,
BHARATHIAR UNIVERSITY,
ANNAMALAINAGAR, COIMBATORE-641046.
- 7 THE REGISTRAR,
BHARATHIDASAN UNIVERSITY,
TIRUCHIRAPPALLI-620024.
- 8 THE REGISTRAR,
MADRAS UNIVERSITY, CHENNAI-5.

9 THE REGISTRAR,
MADURAI KAMARAJ UNIVERSITY,
MADURAI-21.

10 THE REGISTRAR,
MANONMANIAM SUNDARANAR UNIVERSITY,
THIRUNELVELI-12.

11 THE REGISTRAR,
MOTHER TERESA WOMEN'S UNIVERSITY,
KODAIKANAL-624102.

12 THE REGISTRAR,
PERIYAR UNIVERSITY, SALEM-636011.

13 THE REGISTRAR,
TAMIL NADU OPEN UNIVERSITY,
DIRECTORATE OF TECHNICAL EDUCATION CAMPUS,
GUINDY, CHENNAI-25.

14 THE CHAIRMAN,
UNIVERSITY GRANTS COMMISSION (UGC),
BAHADUR SHAH ZAFAR MARG,
DELHI-110002.

**(*15 THE SECRETARY TO HIS EXCELLENCY,
THE GOVERNOR OF TAMIL NADU,
RAJ BHAVAN, CHENNAI - 600 022. ... RESPONDENTS**

**(*R15 is suo motu impleaded as per Court order
dated 04.12.2020 in WP(MD) No. 8025 of 2020 by
NKKJ & BPJ.**

Writ Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to issue a writ order or any other Writ or order or Direction in the nature of a writ of Certiorarified Mandamus calling for the entire records of the 3rd Respondent pertaining to the posts of included in Combined Civil service-I Examination (Group-1 services)-2020 by 3rd respondent notification No.01/2020 dated 20.1.2020 and quash the same as illegal and direct the 3rd respondent to allow only the candidate those who are complete their entire education through i.e 10th Std., 12th std., Degree in tamil medium to avail PSTM quota. And also directing the 1st respondent frame proper

rules for PSTM quota and Respondents University 4 to 13 stop issue PSTM certificates to Distance education course within stipulated time period.

ORDER : This petition coming up for orders on this day, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of MR.G.SAKTHI RAO, Party in Person and of MRS.J.PADMAVATHI DEVI, Special Government Pleader on behalf of the Respondents 1, 2 & 15 and MR.K.K.SENTHIL, Advocate for 3rd Respondent and MR.ISAAC MOHANLAL, Senior Counsel for M/S.ISAAC CHAMBERS for Respondents 4, 5, 9 & 12 and MR.VR.SHANMUGANATHAN, Advocate for 7th Respondent and MR.SANJAY GANDHI, Advocate for 13th Respondent, the court made the following order:-

(Order of the Court was made by N.KIRUBAKARAN, J.)

It is brought to the notice of this Court, as recorded earlier in the orders, dated 27.11.2020 and 01.12.2020, that an Amendment Bill to amend 'The Tamil Nadu Appointment on preferential basis in the Services under the State of Persons studied in Tamil Medium Act'', was passed in the Legislative Assembly of the State of Tamil Nadu on 16.03.2020 and the same was sent to the appropriate Constitutional Authority for Assent. The said Amendment Bill has been pending before the said Authority for more than eight months for a decision. Therefore, this Court *suo motu* impleads the Secretary to His Excellency, the Governor of Tamil Nadu, Raj Bhavan, Chennai - 600 022, as 15th respondent in this Writ Petition. Registry is directed to carry out necessary amendments in the cause title.

2. Mrs.J.Padmavathi Devi, learned Special Government Pleader takes notice on behalf of the newly impleaded 15th respondent.

3. Since the Bill is pending for the past eight months for getting Assent before the appropriate Constitutional Authority, the learned Special Government Pleader appearing for the State is directed to get instructions as to when a decision with regard to the above Bill would be taken. Because of non-granting of Assent to the Amendment Bill, which was passed in the Legislative Assembly of the State of Tamil Nadu as early as on 16.03.2020, the Students, who studied in Tamil Medium, are suffering.

4. It is represented by Mr.K.K.Senthil, learned Standing Counsel appearing for the Tamil Nadu Public Service Commission that the educational qualification certificates of nearly about 85 candidates, who got appointment as Group - I Officers during the years 2016 - 2019 under 20% reservation for Tamil Medium Students are stated to be with the State Government. Therefore, the learned Special Government Pleader appearing for the State is to produce the

educational qualification certificates of those candidates right from the schooling onwards before this Court, in the next date of hearing.

5. Call the matter on 09.12.2020 at 02.15 p.m.

sd/-
04/12/2020

/ TRUE COPY /

/ /2020
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note :- (i) In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

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SECRETARIAT,
ST.GEORGE FORT, CHENNAI-9.
- 2 THE SECRETARY.
DEPARTMENT OF HIGHER EDUCATION,
GOVERNMENT OF TAMIL NADU,
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- 4 THE SECRETARY TO HIS EXCELLENCY,
THE GOVERNOR OF TAMIL NADU,
RAJ BHAVAN, CHENNAI - 600 022.

ORDER
IN
WP(MD) No.8025 of 2020
Date :04/12/2020

SMN2
JM/PN/SAR IV/04.12.2020/4P/5C

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