



W.P.Nos.25241 & 24618 of 2008

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 17.08.2026

Pronounced on : 21.08.2026

CORAM:

THE HONOURABLE MR. JUSTICE T.VINOD KUMAR

W.P.Nos.25241 & 24618 of 2008

and

W.P.No.2 of 2008

& WMP.No.564 of 2022

Smt.Sakunthala,
G-1, Anand Jothi Apartments,
No.90, West Ramalingam Road,
R.S.Puram,
Coimbatore – 641 002.

... Petitioner in W.P.No.24618 of 2008

A.M.Archunan,
G-1, Anand Jothi Apartments,
No.90, West Ramalingam Road,
R.S.Puram,
Coimbatore – 641 002.

... Petitioner in W.P.No.25241 of 2008

vs

1. The Registrar,
Anna University Coimbatore,
GCT Campus, Thadagam Road,
Coimbatore – 641 013.
2. Selection Committee for the post of
Executive Assistant (Administration),



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Rep. By Vice Chancellor,
Anna University, GCT Campus,
Thadagam Road, Coimbatore – 641 013.

3. Ms.Suguna,
Candidate selected for the post of
Executive Assistant (Administration)
C/o. The Registrar,
Anna University Coimbatore,
GCT Campus, Thadagam Post,
Coimbatore – 641 013.

4. Mrs.Manjula,
Candidate selected for the post of
Executive Assistant (Administration)
C/o. The Registrar,
Anna University Coimbatore,
GCT Campus, Thadagam Post,
Coimbatore – 641 013.

... Respondents in both petitions

5. Mr.T.K.Dinesh,
Executive Assistant (Administration),
Anna University Regional Campus,
Distance Education Cell,
Marudhamalai Main Road, Navavoor,
Coimbatore – 641 046.

6. Ms.S.Buvaneshwari,
Executive Assistant (Administration),
Anna University Regional Campus,
General Admin - II,
Marudhamalai Main Road, Navavoor,
Coimbatore – 641 046.

7. Ms.R.Deepa,



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Executive Assistant (Administration),
Anna University Regional Campus,
Academic Office,
Marudhamalai Main Road, Navavoor,
Coimbatore – 641 046.

8. Ms.M.Sathya Priya,
Executive Assistant (Administration),
Anna University Regional Campus,
General Admin – II,
Marudhamalai Main Road, Navavoor,
Coimbatore – 641 046.

9. Ms.L.Usha,
Executive Assistant (Administration),
Anna University Regional Campus,
Marudhamalai Main Road, Navavoor,
Coimbatore – 641 046.

10. Mr.Hamsaraj,
Executive Assistant (Administration),
Anna University Regional Campus,
Department of Civil,
Marudhamalai Main Road, Navavoor,
Coimbatore – 641 046.

11. Mr.Suresh Kumar.V
Executive Assistant (Administration),
Anna University Regional Campus,
NSS and Sports,
Marudhamalai Main Road, Navavoor,
Coimbatore – 641 046.

12. Mr.Sengathir.A.
Executive Assistant (Administration),

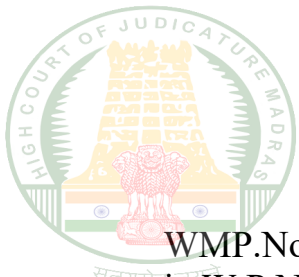


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Anna University Regional Campus,
Dean Office,
Marudhamalai Main Road, Navavoor,
Coimbatore – 641 046.

13. Mr.P.Senguttuvan (Deceased),
Executive Assistant (Administration),
Anna University Regional Campus,
Department of Management Studies,
Marudhamalai Main Road, Navavoor,
Coimbatore – 641 046.
14. Mr.Y.Nagarajan,
Executive Assistant (Administration),
University College of Engineering,
Pattukkottai, Rajamadam,
Pattukkottai, Thanjavur District – 614 701.
15. Mr.S.Murugavel,
Executive Assistant (Administration),
Anna University Regional Campus,
General Admin – II,
Marudhamalai Main Road, Navavoor,
Coimbatore – 641 046.
(R5 to R15 are impleaded *vide*
order dated 29.04.2019 made in
WMP.No.10551/2019 in WP.No.24618/2008)
16. R.Sasikala
W/o. Late Senguttuvan.P,
No.33/2, Srinagar 3rd Street,
Mullai Nagar, PN Pudur Post,
Coimbatore – 641 041.
(R16 substituted as LR of deceased
respondent R13 vide Order
dated 22.11.2021 made in



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WMP.No.18677 of 2021
in W.P.No.24618 of 2008)

... Respondents in W.P.No.24618 of 2008

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5. Mr.G.Arulvasahan,
(Appl. No.5334)
Candidate Selected for the post of
Executive Assistant (Administration),
C/o. The Registrar,
Anna University Coimbatore,
GCT Campus, Thadagam Post,
Coimbatore – 641 013.

... 5th Respondent in W.P.No.25241 of 2008

Common Prayer: Writ Petitions are filed under Article 226 of the Constitution of India, praying to issue a Writ of Declaration, to declare the entire selections made by the respondent University to the post of Executive Assistant (Administration) pursuant to the Recruitment Advertisement No.003/HR-A & NT/AUCBE/2008 dated 09.07.2008 is illegal, unconstitutional, null and void and consequently direct the respondents 1 & 2 herein to consider and appoint the petitioner to the post of Executive Assistant (Administration) strictly on the basis of the merit list.

For Petitioner
in W.P.No.25241/2008 : Mr.K.Sridhar

For Petitioner
in W.P.No.24618/2008 : Mr.V.Perumal

For Respondents 4 & 5
in W.P.No.25241/2008 : Mr.U.Karunakaran

For Respondents 4 to 14 & 16
in W.P.No.24618/2008 : Mr.B.Vijay

For Respondent - 15



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in W.P.No.24618/2005 : Ms.S.Gomathi Lakshmi

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For Respondent 1 to 3
in both petitions : No Appearance

COMMON ORDER

Since the challenge in both the writ petitions is to the selection process undertaken by the erstwhile Anna University of Technology, Coimbatore (now part of Anna University) pursuant to the Recruitment Advertisement dated 09.07.2008, they were heard together and are being disposed of by this common order.

2. Heard the learned counsel for the petitioner and learned counsel appearing for private respondents and perused the records.

3. For ease of reference, the facts as stated in W.P.No.24618/2020 are being referred to.

4. Briefly put, the case of the petitioner is that the respondents had issued a Notification dated 09.07.2008 calling for applications to fill up various posts; that under the said Notification, applications were called to fill up the post of Executive Assistant (Administration) numbering to 30, by applying reservations based on the 200 point roster *vide* G.O.Ms.No.241 dated 29.10.2007; that out of 30 vacant posts



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of Executive Assistant, 9 posts were earmarked for General Turn; that in the

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Notification the educational qualifications specified for filling up the said post are mentioned under two heads, namely “essential qualification” and “desirable qualification”; that the “essential qualifications” required in order to apply for the post of Executive Assistant (Administration) are: (i) a good academic record with at least 55% of marks or its equivalent Grade in UG/PG Degree/Diploma in Engineering with three years of experience; (ii) Junior/Senior Grade in Typewriting; (iii) Knowledge in Basic Computers, MS Office and Adobe software; that under the heading “desirable qualifications” the requirements are (i) Working experience in a University/Autonomous Technical Institution; (ii) PGDCA/Shorthand/Computer Programming Skills; that the scale of pay for the aforesaid post was mentioned as Rs.6,500-200-11,100; that as per the general information and instructions appended to the Notification, by sub clause No.10 the applicants are required to come for a test/Interview at Coimbatore at their own cost; that as per sub clause No.7 of the general information/instructions it has been stated that applications from persons who do not possess the minimum prescribed qualifications and experience for the post will be summarily rejected; that the petitioner, despite possessing the required essential qualification and also having



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secured higher marks in tests, namely, the Written Test, Skill Test – 1 and Skill Test – 2, conducted by the respondents, was excluded from being selected to the post of Executive Assistant (Administration); and that candidates who did not possess the required essential qualification and who secured lesser marks than the petitioner in the Written Test/Skill Test -1 and 2 were selected to the said post only based on the marks secured by them in Interview, without adding and averaging the marks secured in the Written Test, Skill Test -1 and Skill Test - 2 with the marks secured in the Interview; and thus, the action of the respondents in selecting candidates solely on the basis of the marks secured in the Interview, is illegal and arbitrary.

5. It is the further case of the petitioner that nowhere in the Notification issued by the respondents for undertaking the selection to various posts, it had been mentioned that the selection of the candidates to the above post would be made only on the basis of marks secured in the Interview; and that on the other hand, the Notification indicated that an applicant is required to undertake a Written Test and participate in an Interview at their own cost and thereby, giving impression to the applicant, the selection would be undertaken based on the marks secured in the



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Written Test as well as Interview combinedly.

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6. Contending as above, the petitioner seeks for declaring the selection process undertaken by the respondents pursuant to the Notification dated 09.07.2008 as null and void.

7. Counter affidavit and an additional counter affidavit dated 23.02.2018 and 29.04.2019, respectively, have been filed by the first and second respondents.

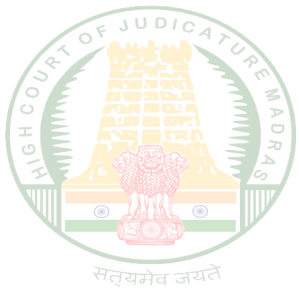
8. The respondents by the counter affidavit claimed that the Anna University formed under Act 30 of 1978; that the University was converted into an affiliating type University from its original unitary type in 2001; that in the year 2007, Anna University was bifurcated and many Anna Universities were created in places like Coimbatore, Tiruchirappalli and Tirunelveli, which were named as Anna University of Technologies; that in 2011, under Act 20 of 2011, the Anna Universities of Technology were merged with Anna University, Chennai; that in relation to the appointment of administrative positions and non-teaching staff, Anna University/the first respondent follows the rules and regulations of the Government of Tamil Nadu.



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WEB COPY 9. The respondents by the counter affidavit further contended that the Government had appointed a Monitoring Committee to oversee the transition process of the merger of various Anna Universities of Technology with the first respondent University; that the Monitoring Committee constituted a Scrutiny Committee to streamline the process of absorption of teaching and non-teaching staff of the erstwhile Anna Universities of Technology with effect from 01.08.2012, as per the provisions of Act 20 of 2011 of the Government of Tamil Nadu.

10. The respondents further contended that the Committee had gone through the process of sanctioning of teaching and non-teaching posts by the competent authorities, scrutinized the process of Recruitment, verified the educational and technical qualifications and other related documents like call letter, appointment order, work and conduct certificate, recommendations of the Unit Officers concerned and etc. and noted certain issues in the appointments of teaching and non-teaching staff in erstwhile Anna Universities of Technology and made the following remarks and observations namely:-

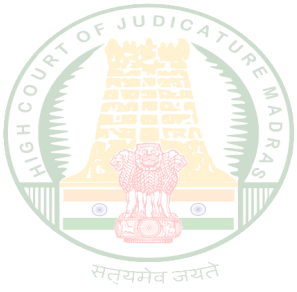


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- (a) Appointments of staff without the sanction of posts
- (b) Appointments without appropriate qualification
- (c) Appointments without competitive process
- (d) Appointments without communal rotation
- (e) Appointments made with higher pay band

The respondent contended that the Monitoring Committee had identified the list of excess appointments made by the erstwhile Anna University of Technology, Coimbatore, wherein 10 persons were appointed to approved posts of non-teaching ministerial basic servant cadre in the University Departments of Anna University of Technology Coimbatore; that the erstwhile Anna University of Technology, Coimbatore used a new nomenclature like “Executive Assistant”, which does not exist in any of the Government Departments or its undertakings and fixed a scale of pay of Rs.9,300-34,800+GP 4,700, which is the scale of pay of a Superintendent; that the erstwhile University had evolved the qualification for the post of Executive Assistant on its own by not only compromising with lower qualification i.e., Diploma instead of a Degree but also by blatantly reducing the total number of years experience from 7 years to just 3 years.

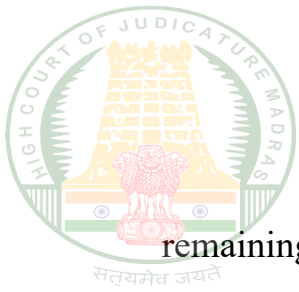


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11. The respondents by the additional counter affidavit further contended

that a total of 568 applications were received, out of which 427 candidates were found eligible based on the essential qualification; that all eligible candidates were called for the written and Skill Tests; that 347 candidates appeared for the Written Test and 330 candidates took Skill Tests I and II; that the aforesaid written and Skill Tests were conducted only for short listing the candidates for the Interview; that thereafter, 149 candidates were called for the final Interview; and that a final merit list was prepared only based on the marks obtained by the candidates in the Interview.

12. The respondents by the additional counter affidavit further contended that the petitioner was placed at Rank No.20 among the 149 candidates who appeared for the Interview for the post of Executive Assistants (Administration) by securing 79 marks, whereas the marks scored by the first rank candidate is 94; that the petitioner belonged to the OC and eligible to compete under GT category that the erstwhile Anna University of Technology had only 11 approved posts as against 31 selected candidates; that only 11 appointments out of the 31 selected candidates were proper as there were only 11 approved posts and hence, the



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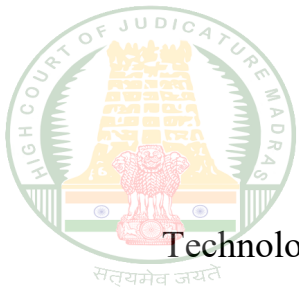
remaining 20 appointments were classified as appointments made in excess with or without proper qualification; and that the petitioner, who was placed at Rank No.20, had no chance of getting selected as there would be only 4 posts earmarked for GT out of the 11 sanctioned posts.

13. Contending as above, the respondents submit that even by re-fixing the selection list, the petitioner would not be successful in getting appointment against the sanctioned posts and thus, sought for dismissal of the writ petition.

14. Separate counter affidavits on behalf of the private respondents 7 and 15 have been filed.

15. The 7th respondent by the counter affidavit mainly contended that though the petitioner had approached this Court by filing a writ petition in the year 2008, she was not made a party to the said proceedings until the year 2019 and only by order in WMP.No.10551 of 2019, she was impleaded as a respondent on 29.04.2019, after a period of 11 years.

16. The 7th respondent further contended that the Anna University of



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Technology had issued Notification dated 09.07.2008, calling for applications from

eligible candidates for various posts, including the post of Executive Assistant (Administration) specifying the required qualifications and experience to be possessed by an applicant; that as per the qualifications specified against the said post i.e., Executive Assistant (Administration), an applicant should have a good academic record with at least 55% of marks in UG/PG/Diploma in Engineering with three years experience, in addition to Junior/Senior Grade in Typewriting; that she possessed all the essential qualifications as stated above; that it was not clear from the Recruitment Notification, whether a Typewriting certificate was essential or whether such a certificate was required in English or Tamil; that as there were many candidates, who were proficient in typing but did not possess or produce a certificate in typing, at the time of appointment, the Appointing Authority conducted Skill Test for ascertaining the typing skills of all the candidates; that she had disclosed at the time of submitting her application of not possessing typewriting certificate, though she was proficient in typewriting in English.

17. The 7th respondent further contended that based on the aforesaid disclosure, Skill Test in handwriting and typing was conducted by the Anna



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University of Technology; that being convinced with her typewriting skills, she

was interviewed and appointed to the post of Executive Assistant (Administration);

that the Appointing Authority had exercised its power of relaxation as mentioned in Para 18 of the Notification and relaxed the condition of producing the typewriting certificate for her and similarly placed persons, totalling to 12, and appointed them to the post of Executive Assistant (Administration); and that if the production of the certificate of typewriting was essential, it should have been specifically mentioned in the Recruitment Notification and there was no need to conduct a Skill Test during the selection process.

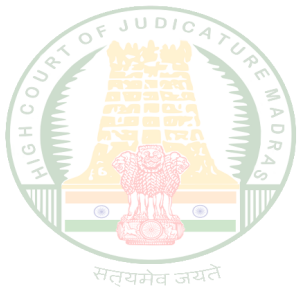
18. The respondents by the counter affidavit further contended that she had completed her typewriting (English) senior grade in the year 1994 as part of her Diploma Course and possessed experience as a Graduate Tabulator in the Government College of Technology, Coimbatore from 27.03.2000 to 18.07.2008; and that as per G.O.(Ms).No.1339, Education Department, dated 17.07.1980, it was clarified that a Diploma in Commercial Practice issued by the State Board of Technical Education, Madras is an alternative qualification for appointment by direct Recruitment as Junior Assistant in the Tamil Nadu Secretariat Service; and



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that on being appointed to the post of Executive Assistant (Administration) *vide* appointment order dated 30.09.2008, she joined the service on 13.10.2008 and her probation was declared on 12.10.2010 and had been continuously working with an unblemished record of service for the past 13 years till date.

19. The private respondents by the counter affidavit further contended that the Appointing Authority ie., the erstwhile Anna University of Technology did not at any time insist her to produce any certificate for typewriting; that there were no statutory Rules or Provisions or Statutes specifying the qualification for the said post of Executive Assistant (Administration); that the Government had issued G.O. (RT).No.91 Higher Education (I1) Department dated 14.07.2017, wherein it was stated that the University was examining the means of absorption of the staff appointed by the erstwhile Anna Universities of Technology, after its merger with the first respondent herein; and that the relief sought for by the petitioner is self-contradictory, as the petitioner, on one hand. seeks for declaration of the entire selection process be declared as void, while, on the other hand, seeks for a direction to appoint her to the said post.

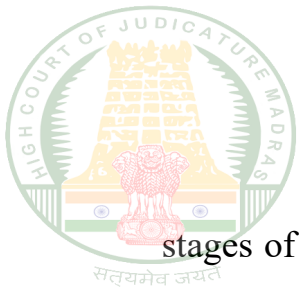


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20. Contending as above, the 7th respondent seeks for dismissal of the writ petition.

21. The 15th respondent by the counter affidavit contended that he possesses B.Com Degree with the required percentage of marks; that he passed the typewriting (English) senior grade examination in the year 2003 and the typewriting (Tamil) senior grade examination in the year 2004; and that he also completed the Computer Office Automation Course in 2001 as well as the Tally Certificate Course (Accountancy) in the year 2004.

22. The 15th respondent by the counter affidavit further contended that he had applied for the post of Executive Assistant (Administration) pursuant to the Notification issued by the first respondent under the Backward Class (BC) Category, possessing all the prescribed qualifications and fulfilling the eligibility criteria; that the selection process consisted of a Written Test, Skill Test – I, Skill Test – II and an Interview; that he had secured 41.67 marks out of 50 in the Written Test, 24 marks out of 25 in Skill Test – I, and 8 marks out of 25 in Skill Test – II, thereby securing an aggregate of 73.67 marks out of 100 in the first three



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stages of the selection process; that based on the said marks, he was called for the Interview conducted by the first respondent and secured 91 marks out of 100 therein; thus, his total marks scored by him in the selection process was 164.67 marks out of 200, whereas the petitioner had secured only 163.50 marks, which was much below the marks secured by the 15th respondent; and that the petitioner had erroneously alleged that he having secured only 149.67 marks.

23. The 15th respondent by the counter affidavit further contended that whether the final selection was based on the aggregate marks obtained in all the stages of the selection process or on the marks secured in the Interview is of no consequence, as he had secured higher marks than the petitioner even by aggregating the marks secured at all the stages and was thus, selected purely on merit and in accordance with the prescribed selection process.

24. The 15th respondent by the counter affidavit further contended that by the notification issued, since 7 vacancies were shown under the Backward Class category, he was selected as BC Candidate No.1 on the basis of merit; that on the first respondent publishing the final selection list, one Mr.Jeevanantham, who was



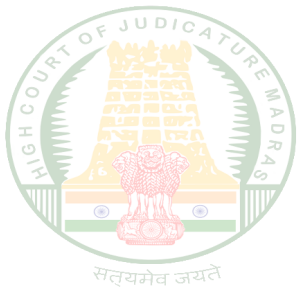
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selected at SI.No.9 under the General Turn (GT) category, did not join duty; that

he was accommodated against the resultant vacancy under the General Turn category and was appointed to the post of Executive Assistant (Administration) on 14.10.2008 on probation; and that on completion of the prescribed period of probation, his services were duly declared and he was appointed on a regular basis.

25. The 15th respondent by the counter affidavit further contended that his selection to the post of Executive Assistant (Administration) was purely based on merit, as he was selected to the post of Typist in the year 2008 through the selection process undertaken by the Tamil Nadu Public Service Commission and again, in the year 2013 in the office of the Commercial Tax Officer (Enforcement), Coonoor, Coimbatore Division; that he did not join either of the said posts, as the scale of pay and service benefits attached to those posts were lower than those attached to the post of Executive Assistant (Administration), to which he had already been appointed validly; and that at this point of time, if his selection is held to be illegal, he would suffer grave and irreparable prejudice, having forgone Government employment offered to him twice through TNPSC.

26. Contending as above, 15th respondent seeks for dismissal of the writ petition.



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27. I have taken note of the respective contentions urged.

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28. At the outset, it is to be noted that the Notification by which the erstwhile Anna University of Technology sought to fill up vacancies, including the post of Executive Assistant (Administration), is to be considered in relation to public employment, as the same was undertaken by a University which is to be considered as “State” under Article 12 of the Constitution of India. Since, the Anna University of Technology being a “State” as defined under the Constitution of India, it is incumbent on the part of “State” to undertake selection process in a fair and transparent manner.

29. The Hon’ble Apex Court in the case of *Amrit Yadav Vs. State of Jharkhand* reported in **2025 SCC online SC 280** dealt with public employment and held as under:-

“39. At this juncture, before parting, we deem it fit to note that public employment is a duty entrusted by the Constitution of India with the State. Therefore, it becomes imperative that the rigours of Articles 14 and 16 are not ignored by the State in relation to the matter concerning public employment. Arbitrariness in public employment goes to the very root of the fundamental right to equality. While no person can claim a fundamental right to

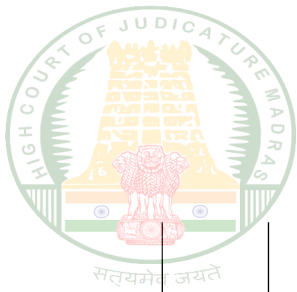


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appointment, it does not mean that the State can be allowed to act in an arbitrary or capricious manner. The State is accountable to the public at large as well as the Constitution of India, which guarantees equal and fair treatment to each person. Public employment process thus, must always be fair, transparent, impartial and within the bounds of the Constitution of India. Every citizen has a fundamental right to be treated fairly and impartially, which is an appendage of right to equality under Article 14 of the Constitution of India. A violation of this guarantee is liable to judicial scrutiny as well as criticism.”

30. A perusal of the Notification dated 09.07.2008 issued by the erstwhile Anna University of Technology, insofar as filling up of vacancies in the post of Assistant Executive (Administration) numbering to 30 specifies the prescribed qualification and experience as under:

SI.No	Name of Post	Qualification and Experience
5	Executive Assistant (Administration)	<u>Essential Qualifications:</u> Good Academic records with at least 55% marks or its equivalent grade in UG/PG Degree/Diploma in Engg. with 3 years experience. Junior/Senior Grade in Typing. Knowledge in Basic Computers, MS Office and



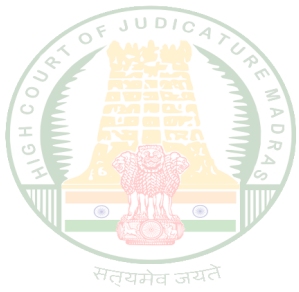
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	Adobe software's.
	<u>Desirable Qualifications:</u> Working Experience in University/Autonomous Technical Institution PGDCA/Short hand/Computer Programming Skill.

31. A reading of the essential qualifications specified for the aforesaid post in the notification would show, that an applicant should possess Junior/Senior Grade in typewriting. The Junior/Senior Grade in typewriting being a prerequisite and essential qualification, such gradation in typewriting is to be determined on the basis of test conducted and issuance of certificate issued by the Department of Technical Education, Government of Tamil Nadu or by other State Government Departments, which certificate is considered an equivalent certificate by the Government of Tamil Nadu. Similarly, the other essential qualification is that an applicant should possess UG/PG degree with at least 55% marks or an equivalent grade or in the case of applicant possessing a Diploma in Engineering with three years experience. The other essential qualification specified is knowledge of basic computers, MS Office and Adobe software.

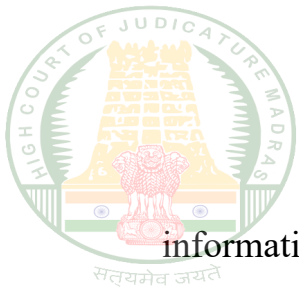


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32. Thus, an applicant in order to submit an application should possess

the required educational qualification and also have required certificate of Junior/Senior Grade in typewriting while the other essential qualification of having knowledge of basic computer, MS Office and Adobe software can only be ascertained through a test to be conducted by the Recruiting Authority. Though, it is contended by the private respondent that the Notification did not specify whether one should have a certificate in Typewriting or not, the use of the words “Junior/Senior Grade in Typewriting” can only be determined / established by the applicant by possessing and producing the certificate issued by the competent authority certifying his Grade in Typewriting, and not by one's own individual certificate.

33. If the candidate did not possess the requisite certificate(s), be it in respect of the basic educational qualification or typewriting grade certificate, the applicant at the first instance could not and cannot claim of having the requisite essential qualification for him to apply or for the Recruiting Authority to consider such application, even in order to exercise of the power of relaxation conferred on the Appointing Authority in Para 18 of the Notification forming part of General



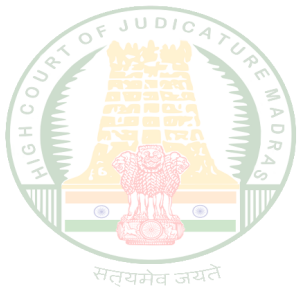
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information and instructions of the notification as claimed by the 7th respondent.

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34. Further, the respondents, while issuing the impugned Notification, under Heading 4, titled as “General Information and Instructions” in Sub-clause 7 thereof, having specified that applications from persons, who do not possess the minimum prescribed qualification and experience for the post will be summarily rejected, neither the 7th respondent nor the Recruiting Authority can now claim that the said authority having accepted the application without the applicant having the essential qualification and the said authority exercising the power under Sub-clause 18 thereof to grant relaxation.

35. If that be so, the respondents should not have insisted on Junior/Senior Grade in typing and ought to have called for applications from everyone, who had possessed skill in typing. However, the Notification does not specify the requirement in such terms and on the other hand, specifically uses the word “Grade” which implies certification by the competent authority. Thus, the contention of the 7th respondent and other private respondents of the said condition being a vague does not appeal to this Court for being accepted.



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37. That being so, since the first respondent by his counter affidavit having categorically stated that the selection process undertaken pursuant to the aforesaid Notification being based solely on the marks secured in Interview and the marks secured in Written Test and Skill Test being used only for determining the eligibility for being called for Interview, if the same is accepted as correct, the same ought to have been mentioned in the Notification specifying that the selection would be made solely on the basis of the marks secured in Interview and the marks secured in written and Skill Tests are only intended for getting selected for Interview in the fixed ratio. Since, the impugned Notification neither mentions the

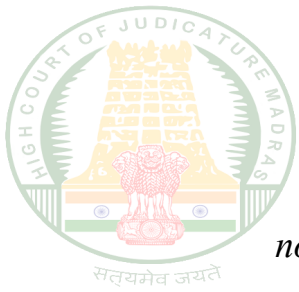


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ratio for being called for Interview on the basis of marks secured in the Written Test or for that matter specifies that the selection would be made purely on the basis of marks secured in Interview, the respondents cannot be allowed to exclude the marks which an applicant had secured in the Written Test, Skill Tests – I and II conducted by the respondents while selecting a candidate and undertaking the selection process only on the basis of the marks secured in the Interview.

38. The Hon'ble Supreme Court in the case of ***Tej Prakash Pathak and others v. High Court of Rajasthan and others*** reported in (2025) 2 SCC 1 has set out the object of holding a written examination and Interview and observed as under:

“49. The ultimate object of any process of selection for entry into a public service is to secure the best and the most suitable person for the job, avoiding patronage and favouritism. Selection based on merit, tested impartially and objectively, is the essential foundation of any useful and efficient public service. So, open competitive examination has come to be accepted almost universally as the gateway to public services. [Lila Dhar v.State of Rajasthan, (1981) 4 SCC 159, para 4 : 1981 SCC (L&S) 588] It is



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now well settled that while a written examination assesses a candidate's knowledge and intellectual ability, an Interview test is valuable to assess a candidate's overall intellectual and personal qualities.”

39. Since, the Recruitment undertaken by the erstwhile Anna University of Technology being for public employment, the selection on the basis of marks secured in the oral Interview cannot be considered as a proper method of selection. The Hon'ble Supreme Court in the ***State of Assam and others Vs. Arabinda Rabha and others*** reported in ***(2025) 7 SCC 705*** had dealt with the aspect of selection of candidates on the basis of a prescribed standard and held that the same which would not only provide a level playing field for each of the candidates but would also help in selection process being conducted without any hidden taint or masked *mala fides*.

40. As noted herein above, since, the Recruiting Authority having failed to mention in the Notification issued that the selection process would be based on the marks secured in the Interview only and on the other hand, informing by way



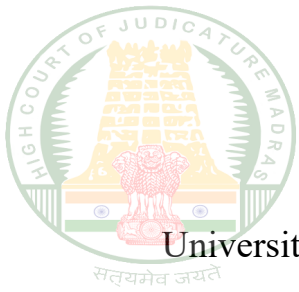
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of “General Information and Instructions” to the applicants, that they should

prepare to come for test and Interview at their own cost, the respondents cannot be allowed to claim or undertake the selection process only based on the marks secured in Interview excluding the marks secured in written test, skill test – I and II as confirmed by the first respondent by the counter affidavit filed by it.

41. Further, no amount of justification by the private respondents can justify the illegal process of selection undertaken by the erstwhile Anna University of Technology in selecting the candidates only on the basis of marks secured in Interview, ignoring the marks secured in the Written Test and Skill Test. Even accepting the contention of the private respondents that the Notification did not specify that a candidate would be selected on the basis of overall marks secured by him in all the tests and Interview together, for them to justify their selection which is solely based on the marks secured by them in Interview, selection as held by the Hon’ble Apex Court is only to assess the candidate’s overall intellectual and personal quality and would not assess the candidate’s knowledge and intellectual ability, which is determined by the written test.

42. That being so, the entire selection process undertaken by the Anna



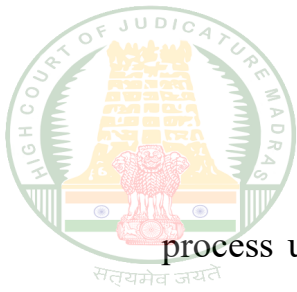
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University of Technology in selecting the candidates, who did not possess the

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“essential qualification” of typing “Grade”, be it Junior/Senior, by possessing necessary certificate issued by the Department of Technical Education of the Government of Tamil Nadu or other equivalent State’s certificate, the acceptance of application by the Recruiting Authority itself is contrary to Sub-clause 7 of Clause 4 of “General Information and Instructions” notwithstanding the fact that the Recruiting Authority is not conferred with the power to grant relaxation insofar as the “essential qualification” is concerned. This would mean that the entire selection process undertaken by the Recruiting Authority in selecting a private respondents, who did not possess one of the essential qualifications, apart from being vitiated, suffers from irregularities and fraud being played on otherwise eligible candidates, who in anticipation of securing a public employment, had applied to the post notified by the impugned notification and took part in the selection process by attending the Written Test, Skill Test and thereafter, taking part in the Interview, only to be informed that they stand excluded from being considered for appointment on the basis of marks secured by them in the Interview, despite having scored higher marks in written and Skill Tests.

43. This Court having now come to the conclusion that the selection

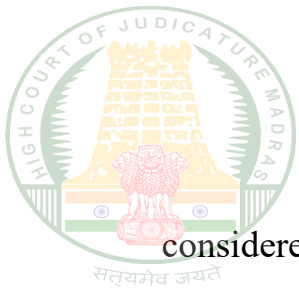


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process undertaken by the erstwhile Anna University of Technology in selecting the 7th respondent and other similarly placed respondents, numbering to 12, who did not possess one of the “essential qualifications” specified for applying to the post of the Executive Assistant (Administration), the selection of the said candidate(s) by the erstwhile Anna University of Technology would have to be held to be tainted and is to be declared as null and void. The private respondents who are beneficiaries of such appointment cannot claim equity on account of their long service, having been appointed to a public employment, in a tainted manner. **(See: Hemant Kumar & Ors Vs. State of Haryana reported in 2026 INSC 878)**

44. The aforesaid conclusion arrived at by this Court takes us to the next question as to whether the petitioner is entitled to grant any relief.

45. Since, the entire selection process is held to be vitiated on account of lack of transparency, the selection being based only on marks secured in Interview, excluding the marks secured in written and Skill Tests, without mentioning the same in the “general information/instructions”, the said selection is to be



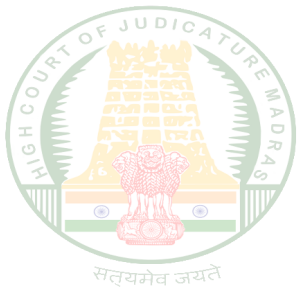
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considered as suffering from manipulation and fraud. Once, any selection process

is found to be vitiated due to fraud or manipulation, it is inevitable that the said selection process is to be cancelled in toto.

46. The Constitution Bench of the Hon'ble Apex Court in the case of *Vanshika Yadav vs Union Of India and others* reported in (2024) 9 SCC 743 had observed that Courts are required to assess the extent of the use of unfair means and separately, consider whether it is possible to separate the tainted and untainted candidates and a holistic view must be taken.

47. Since, in the facts of the present case, the first respondent, by the additional counter affidavit affirmed the oath on 29.04.2019, having categorically stated that the final merit list was prepared only based on the marks obtained by the candidate in the Interview, it is to be held that the said selection process to fill up the vacant posts of Executive Assistant (Administration) numbering to 30 posts is not only in accordance with the known procedure of selection but is also contrary to the selection process to be adopted to fill up the posts in a public employment.



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48. Thus, this Court holds that the entire selection process undertaken by the respondents/erstwhile Anna University of Technology is liable to be set aside.

Though, the petitioner, while seeking to set aside the selection of the private respondents, sought for being appointed to the said post pursuant to the same Notification, since, this Court has now found that the entire selection process suffers from irregularities and manipulation and is vitiated, the petitioner cannot seek appointment pursuant to the very selection process undertaken by the erstwhile Anna University. Thus, the petitioner is not entitled to be granted relief on that score. (*See: Reshma Sultana Vs. State of Karnataka and others* reported in (2024) 18 SCC 575).

49. Accordingly, the writ petitions are allowed and the selection process undertaken by the erstwhile Anna University of Technology to fill up the vacancy in the post of Executive Assistant (Administration) numbering to 30 posts pursuant to Notification dated 09.07.2008 is declared as null and void and is thus set aside.

50. However, it is open for the respondents to fill up the sanctioned posts as existing on the date of issuance of Notification by considering the merit of the



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candidates on the basis of the aggregate marks secured by each of the candidates in

the Written Test, Skill Test I and II and Interview by applying the Rule of Reservation strictly.

51. Consequently, connected miscellaneous petitions are closed. No order as to costs.

21.08.2026

Speaking order / Non-speaking order

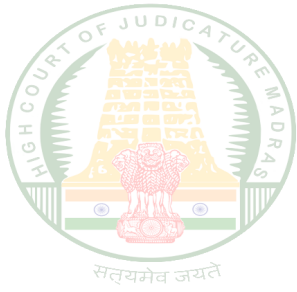
Index : Yes / No

Neutral Citation : Yes / No

dh

To

1. The Registrar,
Anna University Coimbatore,
GCT Campus, Thadagam Road,
Coimbatore – 641 013.
2. Selection Committee for the post of
Executive Assistant (Administration),
Rep. By Vice Chancellor,
Anna University, GCT Campus,
Thadagam Road, Coimbatore – 641 013.



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T. VINOD KUMAR, J.

dh

Pre-delivery order made in
W.P.Nos.25241 & 24618 of 2008

21.08.2026