



WEB COPY

WP No. 28708 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-07-2026

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THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 28708 of 2026

AND

WMP NO. 31456 OF 2026, WMP NO. 31457 OF 2026

K.Mathivanan

..Petitioner(s)

Vs

The Secretary
Tamilnadu Public Service Commission (TNPSC),
TNPSC Road, V.O.C.Nagar, park town, chennai -
600003.

..Respondent(s)

Prayer: calling for the records relating to memorandum No.27-11/1/PSD-O/2025 dated 10.07.2026 issued by the respondent, quash the same and consequently direct the respondent to permit the petitioner to participate in the certificate verification and interview scheduled on 23.07.2026 and in all further stages of the selection process and if found otherwise eligible and meritorious, appoint the petitioner to the post.

For Petitioner(s): Mr.G.V.Sridharan

For Respondent(s): Mr.K.Karthik Jagannath, Standing Counsel



ORDER

This Writ Petition has been filed for the following reliefs:-

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“calling for the records relating to memorandum No.27-11/1/PSD-O/2025 dated 10.07.2026 issued by the respondent, quash the same and consequently direct the respondent to permit the petitioner to participate in the certificate verification and interview scheduled on 23.07.2026 and in all further stages of the selection process and if found otherwise eligible and meritorious, appoint the petitioner to the post.”

Brief Facts:-

2. The petitioner would submit that the respondent issued Notification No.10/2025, Advertisement No.712 dated 13.06.2025 inviting applications for recruitment to the Combined Technical Services Examination (Diploma/ITI Level) for filling approximately 2,100 technical posts.

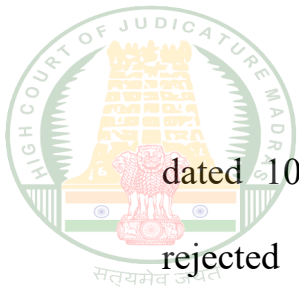
3. Pursuant to the notification, the petitioner submitted his online application bearing Application No.2510031034 and Register No.3501003053 for the posts of Junior Training Officer (Fitter) (Post Code No.3625) and Junior Tradesman (Fitter) (Post Code Nos.6357, 3699 and 3700). He appeared for the written examination and secured Overall Rank No.5 and Communal Rank No.3, thereby becoming eligible for Certificate Verification and Interview.



4. While submitting the online application, the petitioner inadvertently answered "No" to the column relating to previous involvement in any criminal case. The petitioner had earlier been prosecuted in S.T.C. No.445 of 2023 on the file of the District Munsif-cum-Judicial Magistrate, Ranipet, for an offence under Section 12 of the Tamil Nadu Gaming Act, on the allegation of participating in a casual village dice game (Pagadai Vilayattu). The petitioner pleaded guilty and paid a fine of Rs.100/- on 12.05.2023, whereupon the proceedings stood concluded. The case did not involve imprisonment or any offence involving moral turpitude, corruption, violence or dishonesty.

5. The petitioner would submit that the omission to disclose the said case was purely inadvertent and bona fide. On realizing the error, and before completion of the recruitment process, the petitioner voluntarily submitted a representation dated 02.03.2026 enclosing the certified copy of the judgment in S.T.C. No.445 of 2023 and thereafter sent an email dated 06.03.2026 clarifying the inadvertent mistake. Thus, there was neither any wilful suppression nor any intention to conceal the said fact.

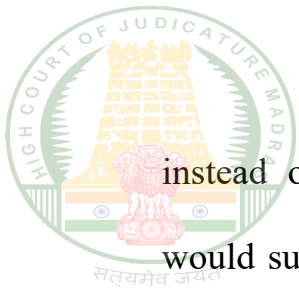
6. While so, the respondent issued Notification No.82/2026 dated 16.07.2026 calling eligible candidates to attend Certificate Verification and Interview on 23.07.2026. However, by Memorandum No.27-11/1/PSD-O/2025



dated 10.07.2026, served on the petitioner on 15.07.2026, the respondent rejected the petitioner's candidature by invoking Paragraph 42 read with Paragraph 14-S(ii) of the Instructions to Applicants and further debarred him from appearing in any examination conducted by the Tamil Nadu Public Service Commission for a period of one year solely on the ground that he had answered "No" in the relevant column of the online application.

7. The petitioner would submit that the impugned Memorandum is arbitrary, illegal and wholly disproportionate. The respondent failed to consider that the criminal case pertained to a petty offence under Section 12 of the Tamil Nadu Gaming Act, which concluded with payment of a nominal fine of Rs.100/-, and that the petitioner had voluntarily disclosed the same before the recruitment process was completed. The respondent also failed to consider the petitioner's exceptional merit, having secured Overall Rank No.5 and Communal Rank No.3.

8. The petitioner would further submits that the Hon'ble Supreme Court in *Avtar Singh v. Union of India*, reported in (2016) 8 SCC 471, has held that while dealing with cases of non-disclosure of criminal antecedents, the employer must consider the nature of the offence, the circumstances surrounding the omission, and whether there was any deliberate suppression,

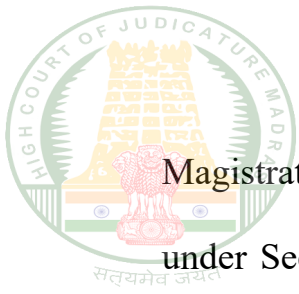


instead of mechanically rejecting the candidature. Therefore, the petitioner would submit that the impugned Memorandum dated 10.07.2026, rejecting his candidature and debarring him for one year, despite his voluntary disclosure of a concluded petty criminal case and his outstanding merit in the selection process, is arbitrary, unreasonable, and disproportionate. Aggrieved thereby, the petitioner has approached this Court seeking the reliefs stated supra.

9. Heard the learned counsel on either side and perused the records.

10. The petitioner, who, pursuant to Notification No.10/2025 dated 13.06.2025, had applied for recruitment to the Combined Technical Services Examination (Diploma/ITI Level), has challenged the Memorandum issued by the respondent, whereby his candidature has been rejected and he has been debarred from appearing in any examination conducted by the respondent for a period of one year, on the ground that he had failed to disclose his involvement in a criminal case in the online application.

11. A perusal of the affidavi and the records would indicate that the petitioner had, by and oversight, omitted to disclose that he had been convicted in S.T.C. No.445 of 2023 on the file of the District Munsif-cum-Judicial



Magistrate, Ranipet, and sentenced to pay a fine of Rs.100/- for an offence under Section 12 of the Tamil Nadu Gaming Act. Immediately upon realising the omission, the petitioner voluntarily disclosed the same by his representation dated 02.03.2026 and further clarified the omission by email dated 06.03.2026, well before the Certificate Verification and prior to the completion of the selection process.

12. The offence in question is a petty offence, which by no stretch of imagination can be treated as an offence involving moral turpitude. Further, the petitioner had voluntarily disclosed the particulars of the said case before the verification process commenced. Therefore, the respondent's action in invoking Paragraph 42 read with Paragraph 14-S(ii) of the Instructions to Applicants, and in imposing the punishment of cancellation of candidature along with debarment for one year, is totally baseless, arbitrary, and disproportionate.

13. In the above circumstances, this Court is of the view that the impugned Memorandum dated 10.07.2026 cannot be sustained and is accordingly set aside.

14. Accordingly, the Writ Petition stands allowed. The respondent is



directed to permit the petitioner to participate in the Certificate Verification and Interview scheduled to be held on 23.07.2026 and in the subsequent stages of the recruitment process, if he is otherwise eligible. No costs. Consequently, the connected Miscellaneous Petitions are closed.

22-07-2026

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

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WP No. 28708 of 2



P.T.ASHA J.

SHR

To
The Secretary
Tamilnadu Public Service Commission (TNPSC),
TNPSC Road, V.O.C.Nagar, park town, chennai - 600003.

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