



W.P.(MD)No.3136 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 09.12.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.(MD)No.3136 of 2020
W.M.P(MD).Nos.2668 and 2669 of 2020**

L.Arul Pragasam

... Petitioner

Vs.

The Member Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road,
V.O.C.Nagar,
Park Town,
Chennai-600 003.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the communication dated 05.02.2020 made by the respondent in connection with the recruitment of posts included in combined Civil Services Examination-II (Interview Post), (Group-II



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Services), 2018 through his Notification No.15/2018 dated 10.08.2018, quash the same and consequently direct the respondent to publish the petitioner's results of written examination and oral test undergone vide Registration No.260101049 as expeditiously as possible as prescribed by this Court.

For Petitioner : Mr.R.Anand
For Respondents : Mr.V.Panneer Selvam
Standing Counsel

ORDER

This Writ Petition has been filed to call for the entire records pertaining to the communication, dated 05.02.2020 issued by the respondent in connection with the recruitment of posts included in combined Civil Services Examination-II (Interview Post), (Group-II Services), 2018, through the Notification No.15/2018 dated 10.08.2018, quash the same and direct the respondent to publish the petitioner's results of written examination and oral test undergone vide Registration No.260101049 as expeditiously as possible.



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2. The case of the petitioner is that the petitioner is an Ex-Service Man and he served in the armed forces nearly 19 years. After discharge from the defence service, he settled at his native place and he is the sole breadwinner of the family. While so, he has applied for the post of Probation Officer in Group-II Services. He has passed the preliminary and main examinations. Subsequently, the oral interview was conducted on 18.11.2019 in which, the petitioner was allowed to participate. However, while he was waiting for the result, in the official website, his registration number has been mentioned as withheld. Thereafter, the petitioner's candidature was rejected on the ground that the petitioner has not possessed the Degree as on 10.08.2018. Challenging the same, the present writ petition has been filed.

3. The learned counsel appearing for the petitioner would submit that admittedly, the notification was issued for various posts including Probation Officer in Combined Civil Services Examination-II (Interview Posts) (Group-II Services) on 10.08.2018. On 20.08.2018, the petitioner has



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completed his B.A. Degree and he produced all the certificates at the time of certificate verification. However, the petitioner's candidature was rejected on the ground that the petitioner has not possessed the required qualification as on 10.08.2018 which is not sustainable. Hence, he prays for allowing the present writ petition.

4. The learned Standing Counsel for the respondent submits that in the Notification, dated 10.08.2018, for the post of Probation Officer, the educational qualification is clearly mentioned as B.A., or B.Sc., or B.Com of any University or Institution recognised by the University Grants Commission. However, in the present case, the petitioner has completed the Degree only on 20.08.2018 much after the date of notification. Hence, the candidature of the petitioner was rejected. However, the petitioner is entitled to participate in the next selection process. Hence, he prays for dismissing the present writ petition.

5. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.



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6. The facts in the present case are not in dispute. The recruitment notification was issued for the post of Probation Officer including various posts in Group-II Services on 10.08.2018. As per Clause (6)(B) of the said notification, as on 10.08.2018, the candidates must possess a Degree. However, in the present case, the petitioner has completed his Degree only on 20.08.2018 and the Degree obtained by the petitioner is a belated one. Hence, this Court cannot interfere with the rejection order passed by the respondent on 05.02.2020. However, this order will not stand in the way of the petitioner to participate in the next selection process.

7. Accordingly, this Writ Petition is dismissed. No costs. Connected miscellaneous petitions are closed.

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Index : Yes / No

Speaking Order : Yes / No

ssb



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M.DHANDAPANI,J.

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