



W.P(MD)No.9362 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.12.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9362 of 2022

Selvam

... Petitioner

Vs.

Tamil Nadu Public Service Commission (TNPSC),
Rep. by its Secretary,
TNPSC Road, Park Town,
Chennai – 600 003.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondent, TNPSC to issue Hall Ticket for the petitioner with application No.2110000969 (Registration No.2601001203) for Assistant Public Prosecutor, Grade-II (Post Code No.1797) Main Examination Hall Ticket scheduled on 07.05.2022 and 08.05.2022 on the basis of the petitioner's representation dated 02.05.2022, within time stipulated by this Court.

For Petitioner : Mr.P.M.Vishnuvarthanan

For Respondent : Mr.J.Ravindran,
Addl. Advocate General,
Assisted by Mr.V.Panneer Selvam,
Standing Counsel.



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ORDER

Heard the learned counsel for the writ petitioner and the learned Additional Advocate General assisted by the learned standing counsel for the respondent.

2.TNPSC issued notification dated 25.08.2021 calling for applications from eligible candidates for direct recruitment for the post of Assistant Public Prosecutor Grade – II in prosecution department. The petitioner was one of the applicants to the respondent. He wrote the preliminary examination on 06.11.2021. However, he was not allowed to write the main examination. That led to the filing of the present writ petition.

3.Pursuant to the interim order granted by this Court, the petitioner wrote the main examination. Since his results have not been published and since the oral test is to be conducted today and tomorrow (01.12.2022 and 02.12.2022), the learned counsel for the petitioner made a mention for hearing the case.

4.When the matter was taken up for hearing, the learned Additional Advocate General submitted that because the petitioner failed to upload his enrollment certificate, he was not issued with hall ticket. Uploading the the enrollment certificate is mandatory. If the petitioner had failed to do so, he will not be allowed to make good the lacuna later. That is the clear effect of the



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instructions set out in the impugned notification. The learned counsel for the petitioner drew my attention to the response of the respondent/TNPSC which indicated that as many as 11 documents had been successfully uploaded. I, therefore, called upon the learned standing counsel for the respondent to clarify what were the 11 documents that were uploaded.

5. When the matter was taken up today, the learned standing counsel set out the list of the documents that had been uploaded by the petitioner. The respondent are even ready to provide one time registration number so that he himself can verify for his own satisfaction regarding the documents that were uploaded. It appears that due to inadvertence, the experience certificate was uploaded by him twice. It is truly unfortunate. The act of the writ petitioner must have been inadvertent. It was possible that due to some confusion caused by digital device, this happened. But then, I cannot fault the respondent for not issuing the hall ticket. The respondent is bound by the terms of the notification. Since the petitioner's application was incomplete as all the relevant documents were not enclosed, the impugned order cannot be interfered with. The writ petition stands dismissed. No costs.

01.12.2022

Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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