



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.14489 of 2020

W.M.P(MD).Nos.12124 to 12126 of 2020

M.Niyamathulla

... Petitioner

Vs.

1.The Secretary,
Tamil Nadu Police Service Commission,
Frazer Bridge Road,
V.O.C.Nagar,
Chennai-600 003.

2.The Controller of Examination,
Tamil Nadu Police Service Commission,
Frazer Bridge Road,
V.O.C.Nagar,
Chennai-600 003.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned communication dated 30.09.2020 with the list of candidates published by the 2nd respondent calling for certificate verification/oral test (OT) for the post of Junior Technical Assistant in the Department of Handlooms and Textile In Tamilnadu Handlooms and Textiles Subordinate Service, 2013-2019 under BCM(G) Quota and quash the same as illegal and direct the 2nd Respondent to publish a fresh list of Candidates for oral test to B.C.M(G) Candidates in 1.3 ratio as per the notification dated 07.01.2019.

For Petitioner : Mr.S.Sarvagan Prabhu

For Respondent : Mr.V.Panneer Selvam
Standing Counsel



O R D E R

The relief sought for in the present writ petition is to set aside the communication dated 30.09.2020 with the list of candidates published by the second respondent calling for certificate verification/oral test (OT) for the post of Junior Technical Assistant in the Department of Handlooms and Textile In Tamilnadu Handlooms and Textiles Subordinate Service, 2013-2019 under BCM(G) Quota and quash the same as illegal and direct the 2nd Respondent to publish a fresh list of Candidates for oral test to B.C.M(G) Candidates in 1.3 ratio as per the notification dated 07.01.2019.

2. The petitioner participated in the process of selection for appointment to the post of Junior Technical Assistant in the Department of Handlooms and Textile in Tamil Nadu Handlooms and Textiles Sub-ordinate Service. The petitioner was successful in the written examination and invited for certificate verification. He participated in the certificate verification.

3. The grievance of the petitioner is that three candidates whose names were not selected in the list of eligible candidates for certificate verification, were subsequently included in the list and they were permitted in the Certificate Verification and Oral Test. Because of those inclusions, the petitioner lost his opportunity of selection.

4. The learned counsel appearing for the petitioner raises a ground by stating that the petitioner is fully qualified and eligible. Regarding the Certificate Verification, it was done as per the procedures and the petitioner was found qualified. Therefore, insertion of those three candidates is untenable and such insertion raises a doubt. Therefore, the petitioner must be selected for appointment.

5. The learned counsel appearing for the respondent relying on the counter affidavit made a submission that based on the outcome of online certificate verification phase-I & II, from among the eligible candidates, 47 candidates were called for Oral Test and 7 candidates were called for Certificate Verification cum Oral Test held on 16.10.2020. Therefore, it is made clear that the seven candidates in addition were called for Certificate Verification cum Oral Test and the reason for such inclusion has also been stated in paragraph Nos.8 and 9 of the counter affidavit, which reads as under:-

8. In the circumstances, it is humbly submitted that upon verification of earlier equivalence orders, it was found from G.O(Ms).No.1832, Education Department, dated 14.12.1986, that Diploma in Handloom Technology was held to be equivalent to Diploma in Textile Technology. On the basis of this G.O, 7 candidates who have studied Diploma in



Handloom Technology including the three candidates mentioned by the writ petitioner were found eligible and they were called for Certificate Verification-Cum-Oral Test.

9.It is humbly submitted that the three candidates, as mentioned by the petitioner in the Affidavit, with the Register Nos.010001325, 020001145 and 100002066 were called for Certificate Verification-cum-Oral Test are ranked above the petitioner in the Rank List. Hence, these three candidates were called provisionally for Certificate Verification-Cum-Oral Test. The Written Examination marks obtained by the petitioner and the said three candidates are as follows:-

Sl.No.	Register Number	Written Examination Marks
1	100002042 (Petitioner)	232.50
2.	020001145	264.00
3.	010001325	250.00
4.	100002066	239.00

6. In view of the fact that the petitioner does not reach the zone of consideration, the name of the petitioner was not considered. Three persons who were selected, scored above the petitioner. Therefore, those three persons were selected. This being the factum, this Court do not find any infirmity in respect of process of selection.

7. Accordingly, the Writ Petition stands dismissed. However, there shall be no order as to costs. Connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS I)

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Sub Assistant Registrar (CS)

ssb

To

1.The Secretary,
Tamil Nadu Police Service Commission,
Frazer Bridge Road,
V.O.C.Nagar,
Chennai-600 003.



2.The Controller of Examination,
Tamil Nadu Police Service Commission,
Frazer Bridge Road,
V.O.C.Nagar,
Chennai-600 003.

+1 CC to M/s.V.PANNEER SELVAM, Advocate (SR-14153[F] dated
24/03/2022)

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-14680[F] dated
25/03/2022)

W.P. (MD) No.14489 of 2020

24.03.2022

MGJ(06.04.2022) 4P 5C