



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Civil Appellate Jurisdiction)

Monday, the Nineteenth day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr. Justice D. KRISHNAKUMAR
and
The Hon`ble Mr. Justice R. VIJAYAKUMAR

C.M.P. (MD) Nos. 12148, 12149, 12269 & 12270 of 2022
in
W.A. (MD) Nos. 1450 & 1423 of 2022

CMP (MD) .12148 & 12149/2022:

M. PARAMESHWARI

... PETITIONER/RESPONDENT

Vs

1 THE SECRETARY,
TAMIL NADU PUBLIC SERVICE COMMISSION,
TNPSC ROAD,
V.O.C. NAGAR,
PARK TOWN,
CHENNAI-600 003.

2 THE CONTROLLER OF EXAMINATION
TAMIL NADU PUBLIC SERVICE COMMISSION,
TNPSC ROAD, V.O.C. NAGAR,
PARK TOWN,
CHENNAI - 600 003.

... RESPONDENTS/APELLANTS

Prayer in CMP (MD) . 12148/ 2022 in WA (MD) .1450:

Petition filed praying that in the circumstances stated therein and in the affidavit filed therewith the High Court may be pleased to direct the respondents to publish the main written Examination marks and oral marks secured by the writ petitioner in Registered Number 1001001082 as per Advertisement No. 590 in notification No.10/2021 dated 25-08-2021.

Prayer in CMP (MD) . 12149/ 2022 in WA (MD) .1450:

To direct the respondents to keep one post vacant with regard to marks secured by the writ petitioner in Registered Number 1001001082 as per Advertisement No. 590 in Notification No.10/2021 dated 25-08-2021.



Prayer in WA(MD) No.1450 of 2022 :

Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order in W.P.(MD) No.9267 of 2022 dated 10.08.2022 and allow the present Writ Appeal.

Prayer in WP(MD) No.9267 of 2022 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for records pertaining to the online rejection of petitioner application by respondents dated 28.04.2022 in Advertisement No.590 in Notification No.10/2021 dated 25.08.2021 and quash the same and consequently direct the respondents to accept the petitioner's experience certificate uploaded by the petitioner in connection with certificate verifications of the petitioner's Application No.2110000064 and consequently register No.1001001082.

CMP(MD) .12269 & 12270/2022:

A.VELMURUGAN

... PETITIONER/RESPONDENT

Vs

1 TAMIL NADU PUBLIC SERVICE COMMISSION,
REP.BY ITS SECRETARY,
TNPSC ROAD,
V.O.C.NAGAR,
PARK TOWN,
CHENNAI-600 003.

2 THE DIRECTOR OF PROSECUTION,
O/o.DIRECOR OF PROSECUTION,
TAMIL NADU SLUM CLEARANCE BOARD,
ANNEX BUILDING 1st FLOOR,
COMPLEX No.5, KAMARAJAR SALAI,
CHENNAI-5

... RESPONDENTS/APELLANTS

Prayer in CMP(MD) . 12269/ 2022 in WA(MD) .1423/2022:

To direct the respondents to release the withheld result of the petitioner/respondent and permit him to participate in the counseling scheduled on 15-12-2022, pending disposal of the above writ appeal.

Prayer in CMP(MD) . 12270/ 2022 in WA(MD) .1423/2022 :

To direct the respondents to reserve one post of Assistant Public Prosecutor in the category of the petitioner/respondent, pending disposal of the above writ appeal.

**Prayer in WA(MD) .1423/2022:**

Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order in W.P.(MD) No.9296 of 2022 dated 12.08.2022 and allow the present Writ Appeal.

Prayer in WP(MD) No.9296 of 2022 :

Writ petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, to call for records pertaining to the online rejection of petitioner's application by respondents, dated 28.04.2022 in Advertisement No.590 in Notification No.10/2021, dated 25.08.2021 and quash the same and consequently, direct the respondents to accept the petitioner's experience certificate issued by the Coimbatore Bar Association on 29.04.2022 clarifying its earlier certificate issued to the petitioner on 02.09.2021, uploaded by the petitioner in connection with certificate verifications of the petitioner's Application No.2110000722 and consequently, register No.1001002004 and permit the petitioner to participate in the further selection process pursuant to the 1st respondents Notification No.10/2021.

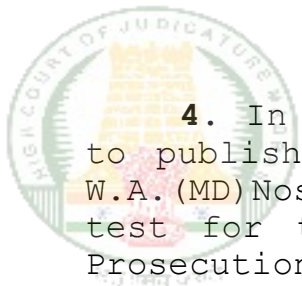
COMMON ORDER : These petitions coming up for orders on this day, upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.M.RAJESWARI, Advocate for the petitioner in CMP(MD).12148 & 12149/2022 and Mr.K.K.SENTHIL, Advocate for the Petitioner in CMP(MD).12269 & 12270/2022 and of Mr.RAVINDRAN, Additional Advocate General Assisted by Mr.V.PANNEER SELVAM, Standing Counsel on behalf of the Respondents in all the Petitions, the court made the following order:-

(Order of the Court was made by D.KRISHNAKUMAR, J.)

C.M.P.(MD)No.12148 of 2022 is filed to direct the respondents to publish the main written examination marks and oral marks secured by the writ petitioner in registered number 1001001082, as per advertisement No.590 in Notification No.10/2021, dated 25.08.2021.

2. Heard the respective learned counsel appearing for the petitioners and Mr.Ravindran, learned Additional Advocate General, assisted by Mr.V.Pannerselvam, learned Standing Counsel appearing for the respondents.

3. The learned counsel appearing for the respondents has fairly submitted that in similar cases, the Hon'ble Division Bench of the Principal Seat of this Court, has directed the respondents to publish the marks secured by the candidates therein, in the examination conducted by them for the post of Assistant Public Prosecutor Grade - II in Prosecution Department. Therefore, the respondents have no objection for publishing the marks secured by the petitioners / respondents in W.A.(MD)Nos.1423 & 1450 of 2022.



4. In view of the above submissions, we direct the respondents to publish the marks secured by the petitioners / respondents in W.A.(MD) Nos. 1423 & 1450 of 2022 in the written examination and oral test for the post of Assistant Public Prosecutor Grade - II in Prosecution Department.

5. The earlier interim order granted by this court dated 14.12.2022, directing the respondents to keep two posts vacant, shall be in force. If the petitioners / respondents in W.A.(MD) Nos. 1423 & 1450 of 2022, are not eligible for selection to the post of Additional Public Prosecutor Grade - II, it is open to the respondents / Public Service Commission to fill up that two vacant posts by other meritorious candidates.

6. With the above directions, C.M.P.(MD) Nos. 12148, 12149, 12269 & 12270 of 2022 in W.A.(MD) Nos. 1450 & 1423 of 2022 are closed.

sd/-
19/12/2022

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21/12/2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE SECRETARY,
TAMIL NADU PUBLIC SERVICE COMMISSION,
TNPSC ROAD,
V.O.C.NAGAR, PARK TOWN, CHENNAI-600 003.

2 THE CONTROLLER OF EXAMINATION
TAMIL NADU PUBLIC SERVICE COMMISSION,
TNPSC ROAD, V.O.C.NAGAR,
PARK TOWN, CHENNAI - 600 003.

3 THE CONTROLLER OF EXAMINATIONS,
THE TAMILNADU PUBLIC SERVICE COMMISSION,
TNPSC ROAD, V.O.C NAGAR, PARK TOWN, CHENNAI-600 003.

+2. C.C. to M/S V.PANNEER SELVAM, Advocate SR.No.15091 & 15092

+1. C.C. to M/S S.M.S.JOHN BASHA Advocate SR.No.15093

ORDER IN

C.M.P. (MD) Nos. 12148, 12149, 12269
& 12270 of 2022 **in**
W.A.(MD) Nos. 1450 & 1423 of 2022
Date : 19/12/2022

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SA/VR/SAR.4/21.12.2022/4P/7C

<https://www.mhc.tn.gov.in/judis>