



W.P.(MD).No.16697 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.11.2023

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.16697 of 2021
and W.M.P(MD).No.13597 of 2021

Prabu

... Petitioner

Vs.

1.The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, Park Town,
Chennai-600 003.

2.The Controller of Examinations,
Tamil Nadu Public Service Commission,
TNPSC Road, Park Town,
Chennai-600 003.

3.The Registrar,
Madurai Kamaraj University,
Theni Main Road, Madurai.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the third respondent to issue PSTM Certificate to the petitioner for the course of B.A.History in the prescribed format in G.O(Ms).No.82, Human Resources Management Department dated 16.08.2021 and consequently,



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direct the first and second respondents to permit the petitioner in the selection process for the direct recruitment to the vacancies in the posts included in Combined Civil Services-I Examination (Group-I Service).

For Petitioner : Mr.Navaneetha Raja

For Respondents : Mr.J.Ananda Kumar
for R1 and R2
Mr.K.Ragatheesh Kumar
for M/s.Isaac Chamber
for R3

ORDER

This Writ Petition has been filed for issuance of a writ of Mandamus directing the third respondent to issue PSTM Certificate to the petitioner and consequently, direct the first and second respondents to permit the petitioner to participate in the selection process for direct recruitment to the vacancies in Group-I Services.

2. The first and second respondents have filed a counter affidavit.

The relevant portions in the counter affidavit are extracted hereunder:

“11.In this connection it is submitted that the candidates, who have uploaded the PSTM certificates through e-seva centres, have been provisionally admitted for the physical



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certificate verification to verify the PSTM qualification for the said posts on 07.10.2021, 08.10.2021 and 11.10.2021 at Commission's Office. The petitioner Thiru.S.Prabhu (Reg.No.2301002127) was directed to appear for certificate verification for verifying PSTM Certificates for the posts included in Combined Civil Services-I Examination (Group-I services) on 08.10.2021 at 3.30 P.M at Commission's Office. Accordingly, he has attended Physical Certificate Verification on 08.10.2021 and furnished the certificates and a letter stating that the petitioner had studied first year of B.Sc., Botany (2006-2007) in English medium in regular stream and discontinued the same. Later on joined through distance education in second year B.A.History course, a different subject in Tamil Medium and completed 2nd and 3rd year of B.A.(History)(2007-2009) in the distance education mode and produced UG PSTM certificate for 2 years only.

13.It is submitted that the petitioner had studied 1st year B.Sc., Botany in English Medium (discontinued) and studied 2nd and 3rd year in B.A. in a different subject (History), through Distance Education. Hence, the candidate's application under PSTM was not considered as he had submitted PSTM certificate for only 2 years. Hence, the petitioner is not entitled relief as prayed in the writ petition.

13.Further in a similar case viz., the Chairman, TRB Vs R.Babu in W.A(MD).No.1102 of 2020, the High Court has opined as follows:-



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9. In view of the settled position of law, we are of the view that the writ petitioner is not entitled for appointment, based on a Degree which has been obtained in one year. Insofar as the decision relied upon by the learned Senior Counsel appearing for the writ petitioner in N.Chitra's case (supra) is concerned, the petitioner therein has joined a course of B.Sc., (Information Technology), discontinued after first year and rejoined the course of B.A., (Tamil). There the petitioner had studied the subject Tamil even while she was undergoing the course of B.Sc., (Information Technology). She had undergone Tamil subject for three years, whereas, in the present case, the writ petitioner studied a different subject of Mathematics in the first two years and thereafter, studied the subject History. Therefore, it cannot be equated with the case on hand and the relief cannot be granted to the petitioner herein."

3. The learned counsel appearing for the first and second respondents also brought to the notice of this Court the judgment of the Hon'ble Division Bench of this Court in W.A.(MD).No.1102 of 2020 dated 21.04.2021.

4. It is clear from the above that the petitioner was not found eligible under PSTM quota and he was not allowed to participate in the selection process. In view of the same, the relief as sought for by the



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petitioner does not arise for consideration and this Writ Petition is accordingly dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Internet : Yes/No
ssb

To

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N.ANAND VENKATESH.J.,

ssb

**Order made in
W.P.(MD).No.16697 of 2021**

**Dated :
07.11.2023**