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W.P.No.1058 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.1058 of 2024
and
WMP Nos.1118 & 1119 of 2024

K.Kaviventhan

....

Petitioner

Vs

The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road,
Broadway,
Chennai.

....

Respondent

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Ceriorari Mandamus, calling for the records in proceedings dated 05.01.2024 on the file of the respondent in respect of post of Research Assistant in Evaluation and Applied Research Department and quash the annexure in the above said notification in respect of the petitioner herein as illegal and consequently, direct the respondent to allow th petitioner to participate in the oral test to be held on 22.01.2024 for the above said post.

For Petitioner : Mr.Durai Gunasekaran

For Respondent : Mr.R.Bharanidharan
Standing Counsel

ORDER



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This Writ Petition has been filed challenging the proceedings dated 05.01.2024 in respect of the post of Research Assistant in Evaluation and Applied Research Department.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner had completed BA in Tamil in Periyar University and MA (Sociology) in Tamil Nadu Open University in the year 2020 and 2023 respectively. He studied in Tamil medium from 1st Standard to MA (Sociology). He belongs to SC community and he had obtained PSTM Certificate. On 19.06.2023, the Tamil Nadu Open University had published the results for the final examination held for the course of MA (Sociology), in which the petitioner had passed. In the meanwhile, on 20.06.2023, The Tamil Nadu Public Service Commission had issued a Notification No.13/2023 for direct recruitment to the post included in the Combined Research Assistant in various Subordinate Services. The petitioner was eligible for both the posts, viz., Research Assistant in Sociology, which is non interview post having one vacancy and Research Assistant in Evaluation and Applied Research Department,



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which is a interview post having two vacancies. The petitioner had applied for the same. However, since the Provisional Certificate and the Master Degree Certificate was not issued to the petitioner. Therefore, the petitioner was not able to upload his provisional certificate. However, he had uploaded the Bonafide Certificate on 25.07.2023 stating that the petitioner had completed the MA (Sociology) in the month of February, 2023. Accordingly, he uploaded and also received the acknowledgement on 05.08.2023. Thereafter, the petitioner was allowed to write the examination for both, the interview and non-interview posts. The petitioner was selected and provisionally admitted to Onscreen Certificate Verification. He was directed to upload all the original certificates. Therefore, the petitioner had uploaded his certificates where the Bonafide Certificate of the Master Degree was already uploaded.

4. On 05.01.2024, based on the outcome of Onscreen Certificate Verification, the Tamil Public Service Commission had issued a notification selecting candidates for the oral test for the post of Research Assistant in Evaluation and Applied Research Department, which is included in the Research Assistant in Evaluation and Applied Research Department to be held on 22.01.2024. However, as per the Notification



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dated 26.06.2023, the petitioner is not eligible as the Provisional Certificate and Consolidated Mark Sheet issued by the Tamil Nadu Open University could not be uploaded. Therefore, the petitioner submitted a representation on 08.01.2024 to allow him to attend the oral test to be held on 22.01.2024.

5. The learned counsel appearing for the petitioner submitted that the petitioner failed to upload his Provisional Certificate of Master Degree.

6. A perusal of the records reveals that admittedly, the petitioner had completed his MA (Sociology) and he had passed the said examination as per the result dated 19.06.2023. However, he was not issued the Provisional Certificate and Original Mark Sheets at the time of applying for the said posts. However, subsequently, Provisional Certificate and Mark Sheets were issued, which were already uploaded.

7. Therefore, the respondent is directed to permit the petitioner to attend the oral test to be held today, i.e., on 22.01.2024, for the post of Research Assistant in Evaluation and Applied Research Department. The learned Standing Counsel appearing for the respondent



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is directed to inform this order to the respondent and permit the petitioner to attend the interview.

8. In the result, this Writ Petition stands allowed.

Consequently, connected miscellaneous petitions are closed. No costs.

22.01.2024

Internet: Yes
Index : Yes/No
Speaking/Non Speaking order
Lpp

Note : Issue order copy today i.e., on 22.01.2024

To

The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road,
Broadway,
Chennai.

G.K.ILANTHIRAIYAN. J.

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