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W.P.No.2999 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.02.2024

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

W.P.No.2999 of 2024 &
W.M.P.Nos.3271, 3272 & 3273 of 2024

S.Karthika

...Petitioner

Vs.

1. The Secretary,
Tamilnadu Public Service Commission,
Park Town,
Chennai-600 003.

2. The Controller of Examination,
Tamilnadu Public Service Commission,
Park Town,
Chennai-600 003.

3. The Registrar,
Tamilnadu Agriculture University,
Coimbatore-641 003.

...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus calling for the records dated 02.02.2024 in respect of rejection of the petitioner in Reg.No.1701087251, for the Oral Test to be held from 12.02.2024 to 17.02.2024 for the combined Civil Services Examination-II (Interview Posts) (Group II Services), pursuant to the Main Written Examination conducted by the Commission on 25.02.2023 and the results published on 11.01.2024, on the



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file of the 2nd respondent and quash the same, directing the respondents to include the petitioner in the Zone of Consideration for provisional admission to Oral Test, for the above recruitment, as per the Notification No.03/2022 dated 23.02.2022, on the file of the 1st and 2nd respondents.

For Petitioner : Mr.Father Xavier Arulraj
Senior Counsel for
M/s.Father Xavier Assocites

For Respondents 1 & 2 : Mrs.G.Hema,
Standing Counsel

ORDER

This writ petition has been filed challenging the proceedings dated 02.02.2024 thereby rejected the petitioner's candidature for oral interview to be held from 02.02.2024 to 17.02.2024 for the Combined Civil Services Examination-II (Interview Posts) (Group-II Services).

2. The petitioner is qualified with B.Sc.(Hons), Agriculture from the third respondent University. She scored 8.02% out of 10 at the over all Grade Point Average. The first respondent published notification No.3 of 2022 in Advertisement No.605 dated 23.02.2022 for Combined Civil Service Examination-II under the category of Group-II Services and Group II A Services with a service code No.004. The petitioner had applied for the same and she also appeared in the preliminary examination. She had cleared



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the preliminary examination and she was qualified for the main examination. She had appeared for the main examination and also cleared the same as per the result published on 11.01.2024. Totally 483 candidates were shortlisted for interview posts at the ratio of 1:3 for the oral test. The petitioner was intimated by the first respondent that she had been shortlisted for the Direct Recruitment posts included in Group-II Services by its proceedings dated 13.01.2024 for the purpose of certificate verification. The petitioner was also instructed to upload certain documents before 27.01.2024.

3. While she was uploading documents, she received a message that “certificates / documents were not uploaded in the stipulated time or the documents uploaded earlier seems to be defective. This is the final chance to upload documents to rectify the defects. Failing to upload the below mentioned documents on or before the said date will result in rejection of your candidature and no further chance / opportunity will be granted. Following documents are required to be scanned and uploaded (i) UG degree final semester mark sheet and consolidated mark sheet”. 2) However, the petitioner had completed the uploading of the required documents within the reasonable time. Respondents 1 and 2 had published a



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list of all the candidates to appear provisionally for the on-screen certificate verification for the Combined Civil Services Examination Group-II Services on 11.01.2024. A list of candidates have been provisionally shortlisted on 02.02.2021 for the oral test to be held from 12.02.2024 to 17.02.2014. However, the petitioner's number mentioned as that the candidates have not been considered for interview for the reason they have not reached the zone of consideration for provisionally selected to interview in the ratio of 1:2 / 1:3.

4. The learned Senior Counsel appearing for the petitioner submitted that the petitioner had completed her undergraduation from 2017 to 2021. Due to non clearance of a subject i.e. Agricultural Microbiology, she had appeared subsequently on 22.12.2021. Thereafter, the result was published on 01.02.2022. Accordingly, she completed her course as on 22.02.2022.

5. On perusal or records, as per the notification, the qualification prescribed for these posts should have been obtained by passing in the following order i.e. 10+HSC / diploma or its equivalent +UG degree+PG degree as required under Section 25 of the Tamilnadu Government Servants



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(Conditions of Service) Act, 2016. The results of the examinations should have been declared on or before the date of notification i.e. 23.02.2022.

Though the petitioner had completed her course as on 23.02.2022, the third respondent University had issued provisional certificate and combined mark sheet only on 11.03.2022 due to administrative reasons. Therefore, it cannot be the reason to disqualify the petitioner on the ground that the petitioner did not complete her course on or before 23.02.2022. In this regard, the third respondent also clarified that the petitioner had completed all the credit requirements as on 22.02.2022 and only final procedure has taken time till 11.03.2022 for issuance of provisional certificate of the degree obtained by her. Therefore, the second respondent ought not to have rejected her candidature for provisional admission to oral test to be held from 02.02.2024 to 17.02.2024.

6. In view of the above, the impugned communication of the second respondent dated 02.02.2024 in respect of rejection of the petitioner in Reg.No.1701087251 is quashed and this writ petition is allowed. Accordingly, the 1st and 2nd respondents are directed to permit the petitioner for the oral test in the ratio of 1:2/1:3 for the Combined Civil Services Examination-II (Interview Posts) (Group-II Services) to be conducted from



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12.02.2024 to 17.02.2024 as per Notification No.03 of 2022 dated 23.02.2022 on the file of the 2nd respondent forthwith. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

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(2/2)

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
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To

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G.K.ILANTHIRAIYAN, J.

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