



WEB COPY

W.P.No.5174 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.02.2024

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
and**

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.P.No.5174 of 2024

and

W.M.P.Nos.5714, 5718, 5721, 5724, 5725 and 5728 of 2024

1. C.Rajalakshmi
2. K.Asha
3. P.Kalaiyarasi
4. R.Balasabari
5. S.Renganathan

... Petitioners

Vs.

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

2. The Registrar General
High Court Madras, Chennai-600 104.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records of the 1st respondent pertaining to the impugned candidates selected provisionally for appointment list published on 16.02.2024 in connection



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with the selection process for post of Civil Judge in the Tamil Nadu State Judicial Service vide Notification No.12/2023 dated 01.06.2023 quash the same as illegal and the Mains Exam papers and mains exam marks for the notification 12/2023 dated 01.06.2023 quash the same as illegal and consequently direct the 1st and 2nd respondent to produce the petitioners copy of the Mains Exam Papers and mains exam marks for the notification 12/2023 dated 01.06.2023 by considering petitioners email representation dated petitioners comes under zone of consideration in the Mains written examination for post of Civil Judge in the Tamil Nadu State Judicial Service-2023, notification 12/2023 dated 01.06.2023 within the time stipulated by this Honorable Court and pass to declare the notification in so far as Para 18(f), 18(n) and 21 sub clause (a), (b), (c) and (d) for post of Civil Judge in the Tamil Nadu State Judicial Service-2023 vide Notification 12/2023 dated 01-06-2023 as null and void by this Honorable Court.

For Petitioner : Mr.M.Dinesh
For R1 : Mr.R.Bharanidharan,
Standing Counsel for TNPSC
For R2 : Mr.B.Vijay

ORDER

(Order of the Court was made by **S.M.SUBRAMANIAM, J.**)

The writ on hand has been instituted to direct the 1st and



2nd respondents to produce the petitioners copy of the Mains Exam Papers and mains exam marks for the notification 12/2023 dated 01-06-2023 by considering petitioners email representation dated petitioners comes under zone of consideration in the Mains written examination for post of Civil Judge in the Tamil Nadu State Judicial Service-2023, notification 12/2023 dated 01-06-2023 within the time stipulated by this Honorable Court and pass to declare the notification in so far as Para 18(f), 18(n) and 21 sub clause (a), (b), (c) and (d) for post of Civil Judge in the Tamil Nadu State Judicial Service-2023 vide Notification 12/2023 dated 01-06-2023 as null and void by this Honorable Court.

2. The learned counsel for the writ petitioner, Mr.M.Dinesh would submit that the clause indicating that during the process of recruitment from notification till completion of selection process, no information under the Right to Information Act, CM Cell Petitions would be furnished is causing infringement of the right of the writ petitioners to seek particulars from the recruiting agency. Admittedly, certain clauses in the recruitment notification are under challenge in the present writ proceedings.

3. The learned counsel for the Tamil Nadu Public Service



Commission, Mr.Bharanidharan would oppose the contention by stating that the writ petitioners have participated in the process of selection by accepting the terms and conditions stipulated in the recruitment notification. Thus, they cannot turn around and challenge the said clauses after participating in the process of selection.

4. In the present case, the learned counsel for the Tamil Nadu Public Service Commission, Mr.Bharanidharan would submit that the marks secured by the unsuccessful candidates will be published after completion of the process of selection. Large number of candidates are participating in the process of selection. The Tamil Nadu Public Service Commission publishes the mark-list only in respect of the selected candidates at first instance and after completion of the process, the marks secured by the unsuccessful candidates will be published.

5. This being the procedures as contemplated under the regulations, the said procedures will be followed. In order to avoid unnecessary conflicts and disputes, such Rules are stipulated and the petitioner, accepting the said Rules, has participated in the process of selection. This being the factum, the challenge made against the recruitment notification and its terms are



untenable.

WEB COPY

W.P.No.5174 of 2



6. Accordingly, the Writ Petition stands dismissed. Consequently, the connected Miscellaneous Petitions are closed. No costs.

(S.M.S.,J.) (K.R.S.,J.)
29.02.2024
2/2

skr
Index : Yes
Speaking order

To

1. The Secretary
Tamil Nadu Public Service Commission,
TNPSC Road, Park Town,
Chennai-600 003.
2. The Registrar General
High Court Madras, Chennai-600 104.



WEB COPY

W.P.No.5174 of 2



S.M.SUBRAMANIAM, J.
and
K.RAJASEKAR, J.

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W.P.No.5174 of 2024

29.02.2024
2/2