



W.P.No.29927 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2024

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.29927 of 2024

And

W.M.P.No.32628 of 2024

E.Thamizhannai

... Petitioner

Vs.

- 1.The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road,
VOC Nagar,
Chennai – 600 003.
- 2.The Registrar,
Tamil Nadu Dr.Ambedkar Law University,
Poompozhi,
Chennai – 600 028.
- 3.The Director of Legal Studies,
Purasavakkam High Road,
Kilpauk,
Chennai – 600 010.
- 4.The Principal,
Government Law College,
Coimbatore – 641 046.
- 5.The Principal
Dr.Ambedkar Government Law College Chennai,
(at presently Pudupakkam, Kancheepuram District)
Puthupaakam,
Thiruporur,



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Kancheepuram – 603 103.

... Respondents

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Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to quash the proceedings bearing Na.Ka.No.1497/A4/2024 dated 30.09.2024 issued by the fifth respondent and direct the respondents 4 and 5 to issue PSTM Certificate stating that petitioner completed the Bachelor of Law from 2002 to 2007 in Tamil Medium within a stipulated period.

For Petitioner : Mr.N.R.Elango
Senior Counsel
for M/s.A.S.Aswin Prasanna

For Respondents : Mr.P.J.Rishikesh for R1
Mr.D.Ravichandran for R2 to R5
Additional Government Pleader

O R D E R

Mr.P.J.Rishikesh, learned counsel takes notice on behalf of the first respondent. Mr.D.Ravichandran, learned Additional Government Pleader takes notice on behalf of the respondents 2 to 5. By consent, the writ petition is taken up for final disposal at the admission stage itself.



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2.The petitioner has filed this writ petition seeking issuance of

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Writ of Certiorarified Mandamus to quash the proceedings bearing Na.Ka.No.1497/A4/2024 dated 30.09.2024 issued by the fifth respondent and direct the respondents 4 and 5 to issue PSTM Certificate stating that petitioner completed the Bachelor of Law from 2002 to 2007 in Tamil Medium within a stipulated period.

3.The learned Senior Counsel appearing for the petitioner submitted that the petitioner belongs to Backward Community and she completed her schoolings in Tamil Medium and she joined Bachelor of Law (B.A.,B.L.) five year Course in the academic year 2002 – 2003 at Coimbatore Government Law College since admission was stopped in Dr.Ambedkar Government Law College, Chennai, due to shifting of the said College to outer and remote area from Madras High Court Campus and selected Tamil as medium of instruction and wrote all the semester in Tamil Language. First 1-1/2 years of Law Course was completed at Coimbatore and thereafter the petitioner got transferred to Dr.Ambedkar Government Law College, Chennai. The petitioner completed her five years Law Course successfully in the academic year 2006 – 2007 and consequently completed the Master Degree in the



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same College on merit in the year 2007 – 2009.

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4.The learned Senior Counsel appearing for the petitioner further submitted that the TNPSC announced Assistant Public Prosecutor Exams on 13.09.2024, for which the petitioner needs PSTM Certificate and hence, she approached the respondents, however, the fifth respondent issued the impugned order denying to issue the PSTM Certificate on the ground that no Course was conducted in Tamil Medium.

5.The learned Senior Counsel appearing for the petitioner further submitted that the issue involved in this writ petition is no longer *res integra*. Similar issue has already been considered by this Court in ***W.P.No.31171 of 2023 [Kavitha.G Vs. The Principal, Chennai Dr.Ambedkar Government Law College]*** dated **29.07.2024**, wherein this Court has directed the respondents therein to issue PTSM Certificate to the petitioner therein and further submitted that the fifth respondent has issued PSTM Certificate to one Gandhimathi. Accordingly, he prayed for allowing the writ petition.

6.The learned Additional Government Pleader appearing for the



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respondents 2 to 5 submitted that the petitioner joined five years

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B.A.,B.L. Degree Course in the year 2002 (First year) at Government Law College, Coimbatore for the academic year 2002 – 2003. Thereafter she got transferred from Government Law College, Coimbatore to Dr.Ambedkar Government Law College, Chennai as per the order of Hon'ble Apex Court in the middle of academic year 2003 – 2004 (second year onwards). There is no PSTM section exist in Dr.Ambedkar Government Law College, Chennai at the time of joining by the petitioner vide G.O.No.280 (L.S Department), dated 14.11.2006 and she is not entitled to claim PSTM Certificate as per G.O.No.280 (L.S Department), dated 14.11.2006 and further submitted that PSTM Certificate issued to Gandhimathi is purely recordical error. He further submitted that the petitioner might have written the Examination in Tamil, however, that is not the sole criteria for awarding PSTM Certificate. Unless the College in which the petitioner studied has been recognized for conducting Course in Tamil Medium, PSTM Certificate could not be issued to the petitioner. Accordingly, he prayed for dismissal of the writ petition.

7.Heard the arguments advanced on either side and perused the



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materials available on record.

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8. Admittedly, the petitioner joined Bachelor of Law (B.A., B.L.) five year Course in the academic year 2002 – 2003 at Coimbatore Government Law College and thereafter the petitioner got transferred to Dr. Ambedkar Government Law College, Chennai and completed her five years Law Course successfully in the academic year 2006 – 2007. The petitioner claim that she wrote the Examination in Tamil and sought for issuance of PSTM Certificate, however, her request was rejected on the ground that no Course was conducted in Tamil Medium in Dr. Ambedkar Government Law College, Chennai.

9. Similar issue has already been considered by this Court in ***W.P.No.31171 of 2023 [Kavitha.G Vs. The Principal, Chennai Dr. Ambedkar Government Law College]*** dated **29.07.2024**. The relevant portion of the said decision reads as follows:

“21. Counters have been filed both by R1 and R2, who is the Controller, Tamil Nadu Dr. Ambedkar Law University. The counter filed by R1 contains several contradictions and lacks clarity.

22. The counter affidavit filed by R1 at



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paragraphs 7 and 8 states thus:

7. *It is respectfully submitted that the Petitioner was admitted in the First Respondent's college in 1997-1998 batch in the Five Year Law course and completed her course in the year 2002. It is submitted that in the year 1997-1998, there was no medium of learning in Tamil in the First Respondent's college for Five year Law course. The medium of study in Tamil was introduced in the First Respondent's college from 1997-1998 only for the second year of Five year Law course.*

8. *It is respectfully submitted that the medium of instruction was introduced in Tamil to the Students who were studying in second year of Five year Law course who joined in the first year during the academic year 1996-1997. Thus, the Petitioner was not admitted in Tamil medium of instruction in 1997-1998 batch.....*

23. R1 has however produced a list of persons who have received stipend for having studied in Tamil medium and the petitioner's name does not figure there. On these facts it would seem that the petitioner is ineligible for



the certification sought. However, the mainstay of the submissions of the respondents is that

the primary criterion for PSTM eligibility/certification is that the candidate should have studied the entire course (all five years) in Tamil.

24. The admitted facts in this case are (i) the petitioner belongs to the batch of 1997–2002 (ii) No records have been produced by any party to support the position that there was a Tamil medium section for this batch (iii) PSTM category has been introduced for the second year of the students in 1996 – 2000 batch. (iv) Admittedly the batch of 1996 -2000 has studied the first year in English Medium and it is only from second year that the PSTM option was given to them.

25. Hence to state that PSTM benefit would be given only for students who have studied for all five years in Tamil medium is belied by the very conduct of the respondents in offering the benefit to those students of 1996 – 1997 to 2000 – 2001 batch who have, admittedly, not studied in Tamil medium in the first year.

26. Having, by conduct, acceded to the position that those students who have opted



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for PSTM only 4 out of a 5 year course will still be given the benefit, I see no reason as to why

the petitioner who has, admittedly, written the examinations for all five years in Tamil and whose course commenced in 1997 – 1998 when there was a total lack of clarity on how the PSTM benefit was to be curated or offered to the students, must be denied this benefit.

27. In light of the discussion as aforesaid, particularly on the admitted position that the students in the earlier batch (1996-2000) had been given the benefit of certification even when they had admittedly completed only 4 years of the course in Tamil, the petitioner, in my view, is entitled to benefit of PSTM certification. I make it clear that the benefit extended under this order is specific, and limited to this petitioner as it has been given in the facts and circumstances of this matter alone.

28. This writ petition is allowed. Respondents are directed to do the needful in issuing PTSM certificate to the petitioner based on the reasoning set out in the paragraphs supra within a period of one week from date of issue of this order. No costs."



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10.From the decision cited supra, it is clear that the students of the batch 1996 – 2000 were given the benefit of PSTM Certificate. This Court is inclined to follow the decision cited supra. The respondents 4 and 5 are directed to issue PSTM Certificate to the petitioner stating that petitioner completed the Bachelor of Law from 2002 to 2007 in Tamil Medium on or before 04.10.2024 so as to enable the petitioner to participate in the Assistant Public Prosecutor Exam.

11.The writ petition is allowed in the above terms. No costs. Consequently, the connected miscellaneous petition is closed.

03.10.2024

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Note: Issue order copy on 03.10.2024.

Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No



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