



W.P.(MD)No.16288 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.16288 of 2024

and

W.M.P.(MD).No.14151 of 2024

A.Velmurugan

... Petitioner

Vs.

1.Tamil Nadu Public Service Commission,
Represented by its Secretary,
TNPSC Road, V.O.C. Nagar,
Park Town, Chennai-600 003.

2.The Deputy Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, V.O.C. Nagar,
Park Town, Chennai-600 003.

3.The Director of Prosecution,
O/o. The Director of Prosecution,
Tamil Nadu Slum Clearance Board,
Annex Building, 1st Floor,
Complex No.5, Kamarajar Salai,
Chennai-5.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the entire records in connection with the impugned Memorandum No.691/OTD-A4/2020, dated 05.07.2024 issued by the second respondent and quash the same.



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For Petitioner : Mr.K.K.Senthil

For Respondents : Mr.J.Anandhakumar,
Standing Counsel

ORDER

By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. Heard Mr.K.K.Senthil, learned counsel appearing for the petitioner and Mr.J.Anandhakumar, learned Standing Counsel appearing for the respondents.

3. The petitioner has filed this Writ Petition challenging the impugned Memorandum No.691/OTD-A4/2020, dated 05.07.2024, issued by the second respondent, through which, the petitioner was intimated that his selection intimation, dated 05.07.2024, has been revised and as per the revised list, the petitioner did not reach the zone of selection and hence, it was cancelled.

4. Mr.K.K.Senthil, learned counsel appearing for the petitioner submitted that the petitioner has already filed a Writ Petition in W.P.(MD).No.9296 of 2022 as his Experience Certificate has not been considered for the purpose of selection and the said Writ Petition was allowed by directing the first respondent to consider the Experience Certificate produced by the petitioner



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and consider him for selection. Aggrieved over the same, the first respondent has filed a Writ Appeal before the Division Bench of this Court in W.A. (MD).No.1423 of 2022 and the said Writ Appeal was dismissed on 20.11.2023 by confirming the order passed by the learned Single Judge. Now the petitioner claims that by virtue of the impugned order, the earlier order passed in W.P. (MD).No.9296 of 2022 was violated.

5. In fact, the order in the earlier Writ Petition has been complied and according to the petitioner, the Experience Certificate has been received for consideration and later, he has been selected to the post of Public Prosecutor Grade-II.

6. Subsequently, in several writ petitions filed by some other candidates before this Court, a direction came to be passed by this Court to rework the selection list. Pursuant to the same, the impugned order cancelling the petitioner's selection does not state that the petitioner's Experience Certificate has not been produced in a proper format. The petitioner has not stated about the challenge made in the subsequent writ petitions and has filed this Writ Petition stating that the earlier order passed in W.P.(MD).No.9296 of 2022 has not been complied with. If the selection list has been revised for the reasons



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extraneous to the issue involved in W.P.(MD).No.9296 of 2022, the petitioner ought to have stated the details of the subsequent litigations which had caused the revision of the selection list. As the petitioner did not come with the true facts and lie upon the orders passed in W.P.(MD).No.9296 of 2022 has already been complied with, I do not find any substance for interference.

7. In the result, the Writ Petition stands **dismissed**. No costs. Consequently, the connected miscellaneous petition is closed.

19.07.2024

NCC:yes/no

Index:yes/no

Internet:yes/no

TSG

To

1. Tamil Nadu Public Service Commission,
Represented by its Secretary,
TNPSC Road, V.O.C. Nagar,
Park Town, Chennai-600 003.

2. The Deputy Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, V.O.C. Nagar,
Park Town, Chennai-600 003.



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3. The Director of Prosecution,
O/o. The Director of Prosecution,
Tamil Nadu Slum Clearance Board,
Annex Building, 1st Floor,
Complex No.5, Kamarajar Salai,
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R.N.MANJULA, J.

TSG

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