



WP(MD). No.17338 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Date : 26.07.2024

CORAM

THE HON'BLE Ms.JUSTICE R.N.MANJULA

WP(MD). No.17338 of 2024
and WMP(MD) No.14907 of 2024

P.Prince Ponraj

... Petitioner

Vs

1. The Member Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, V.O.C.Nagar,
Park Town, Chennai.

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

... Respondents

PRAYER :- Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order in Memorandum No. 271/PSD-A2/2022, dated 08.07.2024 passed by the 2nd respondent and quash the same and consequently directing the 1st respondent to permit the petitioner to participate in the certificate verification and counselling process and appoint him in Group II-A (Non-Interview post) based on his merit and eligibility



WEB COPY



WP(MD). No.17338 of 2024

For Petitioner : Mr.P.P.Alwin Balan

For Respondents : Mr.V.Panneer Selvam
Standing Counsel

ORDER

Heard Mr.P.P.Alwin Balan, learned counsel appearing for the petitioner and Mr.V.Panneer Selvam, learned Standing Counsel appearing for the respondents.

2. This Writ Petition has been filed challenging the impugned order in Memorandum No. 271/PSD-A2/2022, dated 08.07.2024 passed by the 2nd respondent and consequently directing the 1st respondent to permit the petitioner to participate in the certificate verification and counselling process and appoint him in Group II-A (Non-Interview post) based on his merit and eligibility.

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



WP(MD). No.17338 of 2024

4. The petitioner, who has filed a writ petition in W.P(MD) No.12571 of 2024 directing the respondents to permit him to participate in the certificate verification and counselling by considering his representation, dated 20.05.2024, he has got an order in his favour.

5.However, now he has filed this petition challenging the order, dated 08.07.2024, wherein, it is stated that the petitioner is not called for certificate verification, since he has not reached the zone of consideration. The ratio to call for the certificate verification is 1:3/1:1.5. However, the learned counsel for the petitioner submitted that in online-screen certificate verification, it is stated that Ex-Serviceman Certificate is not given in the prescribed format and now it cannot be said that he is not under the zone of consideration.

6.The earlier writ petition has been filed by saving the application of the petitioner from rejection for want of filing Ex-Serviceman Certificate in the prescribed format. When the said writ petition was dealt with, there is nothing stated about the petitioner's marks and that he has reached the zone of consideration. Saving the



WP(MD). No.17338 of 2024

application in the first instance without rejection is for the purpose of taking the candidature of the petitioner for the selection process. The certificate verification will fall only if an individual reaches the zone of consideration. Even after the candidates reaches the zone of consideration, he shall be selected only if the said candidate is found to be the best in the selection process among the candidates, who have reached the zone of consideration in the prescribed ratio per seat.

7.The earlier order does not state that the petitioner has reached the zone of consideration and hence, he is entitled to be called for certificate verification. All that was argued before this Court was that the petitioner's Ex-Serviceman Certificate has been produced in the format in which it was required. Both the reliefs operate from different plane and the petitioner cannot misconstrue that the earlier direction would extend to the stage of certificate verification, even if the petitioner does not fall within the zone of consideration.



WP(MD). No.17338 of 2024

8.However, the petitioner can get the information from the respondent as to cut-off marks prescribed for the quota under which he filed his application.

9.With the above direction, this petition stands disposed of.
No costs. Consequently connected miscellaneous petition is closed.

26.07.2024

NCC : Yes/No
Index : Yes/No
PNM

To
1. The Member Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, V.O.C.Nagar,
Park Town, Chennai.

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



WEB COPY



WP(MD). No.17338 of 2024

R.N.MANJULA, J.

PNM

W.P.(MD)No.17338 of 2024
and WMP(MD) No.14907 of 2024

26.07.2024