



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2025

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**THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**W.A.No.1409 of 2025
and CMP.Nos.10775 & 15548 of 2025**

- 1.The Tamil Nadu Public Service Commission,
Rep. by its Secretary, TNPSC Road,
V.O.C. Nagar, Park Town, Chennai-600 003.
2. Controller of Examinations,
Rep by its Secretary, TNPSC Road,
V.O.C. Nagar, Park Town, Chennai-600 003.

Appellants

Vs

M.Naveen

Respondent

PRAYER Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 01.10.2024 made in W.P.No.25737 of 2024.

For Appellants :Ms.G.Hema, Standing Counsel for TNPSC

For Respondent : Mr.Rita Chandrasekar,
for M/s.Aditya Chandramouli



JUDGMENT

(Judgment of the Court was made by J.Nisha Banu J.)

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This Writ Appeal is filed as against the order of the Writ Court dated 01.10.2024 made in W.P.No.25737 of 2024.

2. The respondents in the writ petition are the appellants herein. The respondent herein has filed the aforesaid writ petition challenging the impugned proceedings of the appellants / Tamil Nadu Public Service Commission dated 13.06.2024, in and by which the respondent has been debarred from writing the TNPSC examination for a period of three years. The Writ Court, taking into consideration the mental trauma faced by the respondent/ writ petitioner and finding that there is no mental element or bad motive on the part of the respondent to take away the booklet from the examination hall and everything has taken place in the spur of the moment, held that imposing a major punishment of debarring him for three years from writing TNPSC examination is grossly disproportionate to the charge which has been proved against the respondent, allowed the writ petition by quashing the impugned proceedings of the appellants dated 13.06.2024. Being aggrieved by the same, the appellants /TNPSC is before this Court.



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3. The learned counsel appearing for the appellants has drawn the attention of this Court to Para 12(A) of the Instruction to the Applicants, wherein it was specifically stated that the candidate will be debarred for 3 years for taking away the booklet from the examination hall without handing it over to the room invigilator and the impugned proceedings imposing punishment came to be issued against the respondent only based on the aforesaid instructions. It is further contended that there is no provision in the Notification or Instructions etc. for relaxing the conditions, especially when the mandatory nature of the terms and conditions in the Notification, however the Writ Court without taking into consideration of the legal aspects, has took a lenient view and allowed the writ petition and therefore, prays for interference.

4. Per contra, learned counsel appearing for the respondent had reiterated the stand taken by the respondent / writ petitioner before the Writ Court and would further add that the punishment period as stipulated vide the impugned proceedings has already been expired and therefore, nothing survives for further adjudication in this Writ Petition.

5. Heard the learned counsel for the parties and perused the materials on record.



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6. The fact remains that the respondent has violated the Rules / Instruction to Candidates as per the Notification dated 23.02.2022 by taking the question / answer paper booklet outside the examination hall, without handing over to the Invigilator, for which he was imposed with the punishment of debarring the respondent for 3 years in appearing for the TNPSC examinations. The respondent has produced sufficient materials before the Writ Court that his father was suffering from Cancer and he was undergoing regular treatment at Apollo Speciality Hospitals and he also died due to Cancer on 12.02.2024, that was one of the reason assigned by the respondent to the effect that he was carrying a mental trauma owing to the suffering of his father. The Writ Court has taken into consideration the mental trauma faced by the respondent and finding no bad motive or mental element on the part of the respondent and allowed the writ petition by quashing the impugned proceedings. This Court finds no reason to interfere with the order of the learned Single Judge and the present writ appeal is liable to be dismissed.

7. Accordingly, this Writ Appeal stands dismissed. No costs.



Consequently, connected miscellaneous petitions are also dismissed.

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(J.NISHA BANU J.)

(M.JOTHIRAMAN J.)

07-07-2025

mst

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

**J.NISHA BANU, J.,
AND
M.JOTHIRAMAN, J.**



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