



W.P.No.18095 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 05.02.2025

Coram:

THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.18095 of 2023 &

W.M.P.No.17284 of 2023

D.Saravanasundar

...Petitioner

Vs.

The Tamilnadu Public Service Commission,
rep. By its Secretary
Frazer Bridge Road,
VOC Nagar, Park Town,
Chennai – 600 003

...Respondent

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus to direct the respondent to include the name of the petitioner in the selection list for oral interview to be conducted by the respondent based on the petitioner's representation dated 27.04.2023 and pass any orders.

For Petitioner : No Appearance

For Respondent : Mrs.G.Hema,
Standing Counsel for TNPSC

ORDER

The petitioner has filed this Writ Petition seeking for issuance of a Writ of Mandamus to direct the respondent to include the name of the petitioner in the



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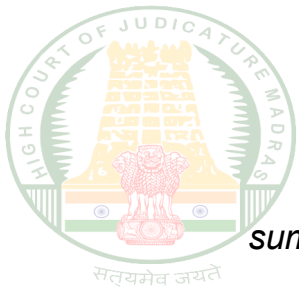
selection list for oral interview to be conducted by the respondent based on the petitioner's representation dated 27.04.2023.

2. The prayer sought for by the petitioner was considered in a batch of cases by the Hon'ble Division Bench of this Court in W.A.No.590 of 2023 etc., batch dated 22.12.2023 and this Court disposed of those Writ Appeals by issuing the following directions:-

“87. In some cases before us, specific contentions have been raised that certain ineligible candidates have been selected; that eligible candidates have been left out; and that the persons with lower marks have been selected. We have already directed the TNPSC to redo the process, after verification. Therefore, we deem it suffice to permit the appellant / petitioners to place the supportive materials before the TNPSC for its consideration and decision. This issue is answered accordingly.

CONCLUSION

88. In view of the fact that the notification was published on 14.02.2018 and considerable time has already passed because of repeated litigations, this court deems it necessary to determine the timeline for compliance of the directions issued above, with regard to experience certificate, possession of experience in petrol and diesel engines, claim of eligible and ineligible candidates, miscellaneous matters, not falling within the zone of consideration, rule of reservation, valid driving licence and conduct of oral test, which are



summarized as below:

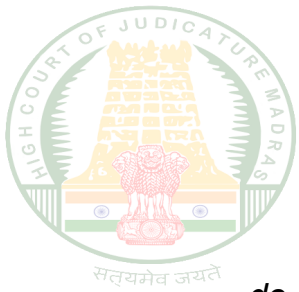
(a) *The State, more particularly, Director / Commissioner of Transport Department must take a decision about the grant of effect of retrospective renewal or deny such retrospective renewal to all the workshops and communicate the same to the TNPSC within a period of four weeks from the date of receipt of a copy of this judgment. This direction will also be applicable to the workshops, which were earlier granted retrospective approval prior to 2011 or 2012~2013.*

(b) *Depending upon the decision of the State as regards the grant of renewal to the workshops, the TNPSC shall make the select list, within a period of two weeks thereafter, and publish the same in the website as well as intimate to the eligible candidates independently.*

(c) *As held by us that the persons with experience in both petrol and diesel fitted engines alone, shall be eligible for selection, the TNPSC shall redo the selection process by verifying the experience of the candidates and make the list accordingly.*

(d) *The TNPSC shall verify the driving licence of the candidates with the respective RTO-s within a period of four weeks from the date of receipt of a copy of this judgment and intimate the result to the individuals directly, who fail to qualify.*

(e) *The TNPSC must prepare the list of candidates for oral test following the rule of reservation as contemplated under clause 10 of the notification, within a period of four weeks from the date of compliance of directions (a), (b), (c) and (d) and publish the same in the official website.*



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(f)The TNPSC shall intimate the marks of the candidates who do not come within the zone of consideration to the candidates individually by sms or e~mail, atleast three days before conducting the oral test. The candidates will not have any right to seek a copy of their answer sheet or re~valuation.

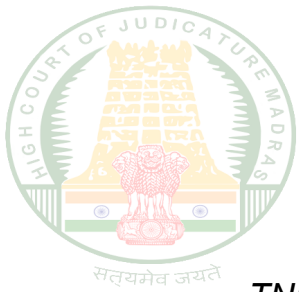
(g)The TNPSC shall conduct the certificate verification of the eligible candidates after publication of the list of candidates fit for oral test, atleast three days prior to the date, on which oral test is scheduled to be conducted.

(h)The entire selection process shall be completed within a period of twelve (12) weeks from the date of receipt of a copy of this judgment.

(i)The TNPSC shall videograph the oral test, keep the same in safe custody, and produce as and when required,

(j)For the purpose of co~ordinating all the authorities, so as to comply with the aforesaid directions, the TNPSC has to nominate a nodal officer within a week and publish the same in their website. The nodal officer shall be the person, to whom the petitioners / appellants / applicants shall submit their complaints / objections, if any, with supportive materials, and he, in turn, shall place the same before the TNPSC for appropriate action,

(k)With regard to the issue relating to upper age limit, it is for the TNPSC to verify the details and act upon, in accordance with the notification.



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(I) These directions issued shall be posted in the website of the TNPSC and the same shall be construed as constructive notice to all the candidates irrespective of the fact whether they are before us or not.

89. As far as the challenge to the PSTM Quota, certificate not being in proper format, suitability of the candidate after debarment by TRB, the same fails.

RESULT

90. All the writ appeals and writ petitions are disposed of, in terms of the findings, directions and conclusions rendered above. Consequently, all the connected miscellaneous petitions are closed. There will be no order as to costs.

3. In the light of the above, the Writ Petition is disposed of on the same lines and the respondent would abide by the direction issued in the earlier batch of cases referred supra. Consequently, connected miscellaneous petition is closed. No costs.

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

To
The Tamilnadu Public Service Commission,
rep. By its Secretary
Frazer Bridge Road,
VOC Nagar, Park Town,
Chennai – 600 003



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V.BHAVANI SUBBAROYAN, J.

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