



W.P.(MD).No.12365 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.09.2025

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.12365 of 2018

S.Ponnusamy

... Petitioner

Vs.

Tamilnadu Public Service Commission,
Rep. by its Secretary,
Frazer Bridge Road,
VOC Nagar,
Part Town,
Chennai-03.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned online order issued by the Respondent dated Nil and quash the same consequently direct the Respondent to permit the petitioner in the selection process for the post of Motor Vehicle Inspector Grade II, if the petitioner is eligible as otherwise.

For Petitioner : Mr.K.Suresh

For Respondent : Mr.V.Panneerselvam

Standing Counsel for TNPSC



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ORDER

The present writ petition has been filed by an aspirant to the post of Motor Vehicle Inspector Grade-II pursuant to the notification issued by the respondent dated 14.02.2018.

2. As per the said notification, an aspirant to the post of Motor Vehicle Inspector Grade-II should possess diploma in mechanical engineering and must hold valid driving licence authorising him to drive Motor Cycle Heavy Goods Vehicles and Heavy Passenger Motor Vehicles and he should also have experience in driving Heavy Transport Vehicles for a period of not less than six months after obtaining the licence referred to above.

3. The petitioner was issued with a transport endorsement on 13.11.2016, which was valid upto 12.11.2019. However, the physical copy of the driving licence that was issued to the petitioner did not reflect the transport endorsement. The petitioner has uploaded the said driving licence and also forwarded the physical copy to the respondent herein. The petitioner was expected to appear for the written examination on 10.06.2018. He received the impugned order from the respondent on 04.06.2018 to the effect that his



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application stood rejected on the ground that he has not possessed transport endorsement, which is a mandatory requirement for making an application for the post of Motor Vehicle Inspector Grade -II. Immediately, on the same day, he had downloaded the copy of the driving licence from the transport department website which would clearly indicate that the petitioner has been issued with the transport endorsement on 13.11.2016 which would have its validity upto 12.11.2019.

4. Based upon the said downloaded copy of the driving license, the petitioner has approached this Court and filed this writ petition seeking to quash the order dated 04.06.2018 and has sought for a further direction to the respondent to permit him to participate in the selection process for the above said posts, if he is otherwise eligible.

5. This Court by an order dated 08.06.2018 passed the following interim orders:-

"7. I have perused the said documents filed before this Court. No doubt, at the time of sending copy of the licence, it has not been clearly mentioned therein. Therefore, the respondent Service Commission would have construed that the petitioner is having driving licence only to driver Light Motor Vehicles and not for Heavy Vehicles. However, the fact remains



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that the petitioner is having such licence to drive Heavy Vehicles even from 13.11.2016 and such licence would be available till 12.11.2019. It cannot be said that the petitioner does not have the Heavy Vehicle licence as on date of notification ie., 14.02.2018.

8. Since that was the only reason for which the petitioner's candidature was rejected and the said reason, at least, prima facie, is now cleared by the online communication issued by the Transport Department and the same has been filed before this Court, this Court is of the view that the petitioner's candidature shall not be rejected on the said ground.

9. In view of the above, since the written examination is scheduled to be conducted on 10.06.2018, this Court is inclined to pass the following interim order:

(i) The respondent Service Commission is directed to issue Hall Ticket to the petitioner for the written examination to be conducted on 10.06.2018 in the selection process for the post of Motor Vehicle Inspector pursuant to the notification No. 3/2018 dated 14.02.2018 and the petitioner shall be accordingly, permitted to write the said examination;

(ii) It is made clear that the result of the examination of the petitioner shall be withheld until further orders to be made by this Court;

(iii) It is further made clear that merely because the petitioner is permitted to write the written examination to be held on 10.06.2018, the petitioner shall not claim any equity, if ultimately, the writ petition is decided against him."



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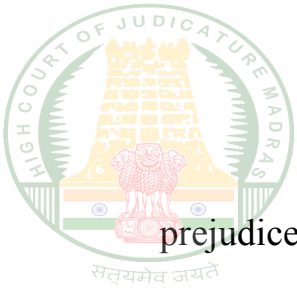
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6. Pursuant to the interim order passed by this Court, the petitioner had appeared for the written examination.

7. The learned Standing counsel appearing for the respondent would submit that in view of the various other litigations, sofar results have not been published for the written examination.

8. The facts narrated above would clearly indicate that though the petitioner was possessing the requisite qualification of transport endorsement on the date of notification, due to the mistake on the part of the transport department in not incorporating the endorsement in the driving licence, the petitioner was not permitted to appear for the written examination by the first respondent. That apart even before the written examination, the petitioner has downloaded a copy of the driving licence from the website of the transport department and placed it before this Court. Relying upon the said copy, this Court has permitted the petitioner to appear for the written examination.

9. Since there is no fault on the part of the writ petitioner and he had possessed the requisite qualification even before the date of notification, no



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prejudice would be caused in permitting him to continue in the selection process, especially, in the light of the fact that sofar results have not been published.

10. In view of the above said deliberations, the writ petition stands allowed and the petitioner is permitted to continue in the selection process for the post of Motor Vehicle Inspector Grade-II and his selection would be on the basis of merit. No costs.

12.09.2025

Index : Yes / No
Internet: Yes / No
NCC :Yes / No
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R.VIJAYAKUMAR,J.,



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