



W.P.(MD)No.30797 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.10.2025

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.30797 of 2024

and

WMP(MD).Nos.25871, 25872 & 25874 of 2024

1. P.Ranjithkumar,
2. M.Sakthivel
3. G.Karkuvel
4. T.Vivekanandham
5. A.Mahendiran
6. S.R.Saranya
7. R.Prabhu
8. S.Shek Ameethbasha

...Petitioners

Vs

The Secretary,
Tamilnadu Public Service Commission,
TNPSC Road, Broadway,
Park Town, Chennai-600 003.
Respondent

...

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Declaration, to declare the impugned results published by the respondent on its official website on 12.12.2024, wherein the petitioner's results was "Deemed not fit for Valuation for violating of Commission's instructions to Applicants" in Notification No. 2 of 2023 dated 13.01.2023 Serial 14(e)(k) and (1) sub clause (d)(e) and TNPSC instructions to applicants Serial No.17(B) Sub Clause (xiii)(xiv) & 17-E (i) sub clause (e)(f), (g)(h), Serial No.22-F as illegal and devoid



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any reasons and consequently direct the respondent to evaluate the petitioners' OMR answer sheet and publish the petitioners marks and rank and include the petitioners' name for certificate verification and counselling and produce the petitioners' colour copy of original OMR sheet to the petitioners and appoint the petitioners based on the marks secured if petitioners comes under zone of consideration in the written examination for posts of Road Inspector in Rural development and Panchayat Raj Department included in TamilNadu Panchayat Development Engineering Subordinate Services for the year 2023 through a Notification No.2 of 2023 dated 13.01.2023.

For Petitioner : M/s.G.Sakthi Rao

For Respondent : Mr.V.Panner Selvam
Standing Counsel

ORDER

This writ petition has been filed seeking to declare the impugned results published by the respondent on its official website on 12.12.2024, wherein the petitioners' results were "Deemed not fit for Valuation for violating of Commission's instructions to Applicants" in Notification No. 2 of 2023 dated 13.01.2023 Serial 14(e)(k) and (1) sub clause (d)(e) and TNPSC instructions to applicants Serial No.17(B) Sub Clause (xiii)(xiv) & 17-E (i) sub clause (e)(f), (g)(h), Serial No.22-F as devoid and seeking consequential direction to the respondent to evaluate the petitioners'



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OMR answer sheet and publish the petitioners marks and rank and include the petitioners' name for certificate verification and counselling and produce the petitioners' colour copy of original OMR sheet to the petitioners and appoint the petitioners based on their marks secured.

2. The learned counsel for the petitioners would submit that the petitioners had mistakenly signed in the place where the invigilator is to sign. He further submits that the selection process at Stage- I is only based on multiple choice, for which answers have to be marked in the Optical Mark Recognition (OMR) Sheet and the said OMR sheet would be corrected by machine and therefore even if it is the claim that the mistake committed by the petitioner would result in disclosing their identity when evaluation and when the same is made by machine there is no question of the machine granting marks by identifying the paper of the petitioners. In that context, he would also refer the judgement of the learned single Judge of this Court made in W.P.(MD).No.27591 of 2024 dated 16.12.2024 and prays this Court to declare the said results as arbitrary and irrational and consequently direct the respondent to evaluate the petitioners OMR answer sheet and publish the petitioners'



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mark/rank and if the petitioners are qualified, include their name for certificate verification and counselling.

3. Mr.V.Panner Selvam, learned Standing Counsel appearing for the respondent on the other hand would contend that it is the clear violation of instructions given to the candidates. Instruction No.4 in the OMR Answer sheet at Page No.2 will clearly indicate that the candidate should not sign anywhere in Part-I of the OMR Sheet. However, the petitioners have put a signature in Part-I, in the place, where the invigilator would have to put a signature. He relied upon the judgement of the Hon'ble Apex Court reported in 2020 (19) SCC 430 and submit that instructions given by the Commission are mandatory and having force of law and they have to be strictly complied with and that the High Court in exercise of the power under Article 226 cannot relax or modify the instructions issued by the Commission. He had also further relied upon the order of the learned single Judge of this Court made in WP.Nos. 29511 & 30844 of 2023 dated 18.09.2025 for the same preposition and therefore prays this Court to dismiss the writ petition.



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4. I have considered the submissions made on either sides and perused the materials available on record.

5. It is not disputed that the examination in which the petitioners had participated was based on the marking made by the petitioners in the OMR sheet. It is the case of the respondent that the petitioners had signed in Part-I of the OMR sheet which is prohibited and would be in direct violation of the instructions given to the candidates in clause IV of Part-II of the OMR sheet itself, as the same would amount to identifying the petitioners answer sheet to gain unfair advantage. When the OMR sheets have been valued only by machine, its not been explained by the respondent as to how such identification of the OMR sheet would help the petitioners. The learned Single judge of this Court in WP(MD).No.27591 of 2024 dated 06.12.2024 had categorically held in a similar circumstances that the apprehension of the respondent herein with regard to the alleged disclosure of identity is unwarranted. For better appreciation, the relevant portion of the said judgement is extracted hereunder :



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"9. In the present case, the alleged signature of the fourth petitioner is not visible and it has been struck down and thereafter invigilator has signed. The said circumstances does not reveal or disclose the identity of the writ petitioner. That apart the answer sheets are going to be evaluated by machines and therefore, the apprehension of the Tamil Nadu Public Service Commission that alleged disclosure of identity is unwarranted. Therefore, the case does not warrant invoking Clause 17-E(j) of instruction to the candidates. In such circumstances, the order of the respondent with regard to the fourth petitioner is set aside and the respondent is directed to evaluate the answer sheet of the fourth petitioner and to proceed in accordance with law."

6. An analysis of the judgement relied upon by the learned Counsel for the Respondent reported in 2020 (19) SCC 430 would indicate that the valuation in respect of examinations to the TamilNadu State Judicial Service, particularly with regard to the written test, the answer papers are being valued by human and not by machine. Similarly, in the judgement of the learned single Judge of Madras High Court was for Combined Engineering Subordinate Service Examination and there also written examinations are envisaged. Hence, even any mark that create identity would have to be strictly viewed. Applying the judgement of the learned single Judge of this court as stated supra, this Court is of the view that



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even if it is assumed to be an identity, the same will not gain any unfair advantage to the petitioners as claimed by the respondent.

7. In such view of the matter, the writ petition is allowed and the results as published by the respondent in respect of the petitioners is hereby set aside and the respondent is directed to evaluate the OMR answer sheets of the petitioners and if found eligible the petitioners may be called for certificate verification and recommended for appointment if any vacancy is available pursuant to the said notification. No costs. Consequently, connected miscellaneous petitions are closed.

16.10.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
gvn



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K.KUMARESH BABU, J.

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To:

The Secretary,
TamilNadu Public Service Commission,
TNPSC Road, Broadway,
Park Town, Chennai-600 003.

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