



W.P. No.1661/2024, etc., Batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on	Pronounced on
16.12.2025	07.01.2026

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

**W.P. NOS.1661, 3692, 4005, 4013, 4176, 4411, 4579 & 9908 OF 2024
AND**

**W.M.P. NOS. 1697, 3993, 3994, 4332, 4336, 4338, 4497, 4485, 4752,
5014, 5003, 5008, 5015, 10921, 10924 & 10925 OF 2024**

R.Ashok	.. Petitioner in WP 1661/2024 & 4411/2024
R.Jeyarani	.. Petitioner in WP 4579/2024
M.Jothi	.. Petitioner in WP 3692/2024
G.Sethuram	.. Petitioner in WP 4013/2024 & 4005/2024
K.Sivaranjani	.. Petitioner in WP 4176/2024
K.Jayanthi	.. Petitioner in WP 9908/2024

- Vs -

1. The Secretary to Government
Tamil Nadu Public Service Commission
V.O.C. Nagar, Park Town
Chennai – 3. .. R-1 in WP 1661 & 4411/2024
2. Tamil Nadu Public Service Commission
Rep. By Secretary, Public Service Commission
V.O.C. Nagar, Park Town
Chennai – 3. .. R-2 in WP 1661/2024
3. Tamil Nadu Public Service Commission
Rep. By Deputy Secretary



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TNPSC Road, V.O.C. Nagar
Park Town, Chennai – 3.

.. R-1 in WP 4579, 3692, 4013
4005, 4176 & 9908/2024

4. The Controller of Examination
Tamil Nadu Public Service Commission
V.O.C. Nagar, Park Town
Chennai 600 003.

.. R-2 in WP 4411/2024

5. The Director
Motor Vehicle Maintenance Department
Velachery, Chennai – 42.

.. R-3 in WP 1661 & 4411/2024

6. The Addl. Chief Secretary
Transport Department
Secretariat, Fort St. George
Chennai – 09.

.. R-4 in WP 1661 & 1441/2024

7. V.Varadha Rajan

.. R-5 in WP 1661 & 4411/2024

8. T.Arun

.. R-6 in WP 1661/2024

9. The Commissioner
Rural Development & Panchayat
Raj Dept., Panagal Building
Saidapet, Chennai 600 015.

.. R-2 in WP 4579/2024

10. The Chief Engineer
Tamil Nadu Urban Habitat Development
Board, No.5, Kamarajar Salai
Chepauk, Chennai 600 005.

.. R-3 in WP 4579 & R-2 in
4013, 4005, 4176 & 9908/24

11. The Chief Engineer
Water Resources Dept.
(PWD), Chepauk,
Triplicane, Chennai 600 005.

.. R-4 in WP 4579/2024

12. The Chief Engineer
Public Works Department
Chepauk, Triplicane



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Chennai 600 005.

.. R-5 in WP 4579/2024

13. S.R.Aravind

.. R-3 in WP 4013 & 4005/24

14. The Member Secretary

Chennai Metropolitan Development

Authority, Thalamuthu Natarajan

Maligai, Egmore, Chennai 600 008.

.. R-2 in WP 3692/2024

W.P. No.1661 of 2024 filed under Article 226 of the Constitution of India praying this Court to issue a writ of declaration declaring the provisional selection list published by the respondents 1 and 2 for the posts included in the Combined Engineering Services Examination for the post of Automobile Engineers in the Motor Vehicle Maintenance Department in Tamil Nadu General Service insofar as the results published and inclusion of the names of the respondents 5 and 6 with the Registration No.0101001197 and 0101001265 on 18.01.2024 by the 1st respondent calling them for oral test to be held on 24.01.2024 for the post of Automobile Engineer is null and void and direct the 4th respondent to appoint the petitioner as Automobile Engineer in the Motor Vehicle Maintenance Department in Tamil Nadu General Service, in pursuance of the petitioner's provisional appointment order issued by the 1st respondent in his Memorandum No.6851/OTD-A4/2019 on 19.04.2023.



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W.P. No.3692 of 2024 filed under Article 226 of the Constitution of India praying this Court to issue a writ of certiorarified mandamus calling for the records of the 1st Respondent in the Memorandum No 6851 / OTD-A4 / 2019 dated 26.01.2024 and quash the same in so far as by the said Memorandum the Provisional Selection of the petitioner under Memorandum No. 6851 / OTD- A4 / 2019 dated 19.04.2023 for appointment by direct recruitment to the post of Assistant Engineer, Chennai Metropolitan Development Authority Engineering Service was cancelled and ordering re-counselling on a misinterpretation of the decision of the Honourable Division Bench of this Honourable Court in W.A. Nos. 682 to 687 of 2023 dated 20.11.2023 and consequently direct the 1st Respondent to treat the petitioner as having been provisionally selected for appointment by direct recruitment to the post of Assistant Engineer in the Chennai Metropolitan Development Authority Engineering Service and direct the 2nd Respondent to consider issuing appointment order to the petitioner in the post of Assistant Engineer in the Chennai Metropolitan Development Authority Engineering Service Pursuant to Advertisement No 613 Notification No 10 / 2022, dated 04.04.2022 issued by the 1st Respondent.

W.P. No.4005 of 2024 filed under Article 226 of the Constitution of India praying this Court to issue a writ of declaration declaring that the entire selection



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of candidates for 64 vacancies in the post of Assistant Engineer in the Tamil Nadu Urban Habitat Development Board in the Combined Engineering Service pursuant to Advertisement No.613, Notification No.10/2022, dated 04.04.2022 issued by the 1st respondent in the Counselling held on 03.02.2024 is illegal and liable to be set aside in so far as the 1st respondent has treated the 30 percent reservation for women and 20 percent reservation for persons Studied in Tamil Medium (PSTM) candidates as vertical reservation contrary to the decision of the Division Bench of this Honourable Court dated 07.09.2022 in W.P.Nos.6201/2013 etc. And consequently direct the 1st respondent to redo the entire selection of Combined Engineering Service pursuant to Advertisement No.613, Notification No.10/2022, dated 04.04.2022 treating the 30 percent reservation for women and 20 percent reservation for Persons Studied in Tamil Medium (PSTM) candidates as horizontal reservation in conformity with the decision of the Division Bench of this Honourable Court dated 07.09.2022.

W.P. No.4013 of 2024 filed under Article 226 of the Constitution of India praying this Court to issue a writ of certiorarified mandamus calling for the records of the 1st respondent in the Memorandum No.6851 / OTD / A4 / 2019 dated 26.01.2024 issuing notice of counselling and quash the same in so far as by the said Memorandum the Provisional Selection of the petitioner under



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Memorandum the No.6851 / OTD / A4 / 2019 dated 17.04.2023 for appointment by direct recruitment to the post of Assistant Engineer in (Tamil Nadu Urban Habitat Development Board) in the Tamil Nadu Slum Clearance Board Service included in Combined Engineering Service was cancelled and ordering re-counselling on a misinterpretation of the decision of the Honourable Court in W.A.Nos. 682 to 687 of 2023 dated 20.11.2023 and consequently direct the 1st respondent to treat the petitioner as having been provisionally selected for appointment by direct recruitment to the post of Assistant Engineer in the Tamil Nadu Urban Habitat Development Board in the Tamil Nadu Slum Clearance Board Service and direct the 2nd respondent to consider issuing appointment order to the petitioner in the post Assistant Engineer in the Tamil Nadu Urban Habitat Development Board in the Tamil Nadu Slum Clearance board Service pursuant to Advertisement No.613, Notification No.10/2022, dated 04.04.2022 issued by the 1st respondent.

W.P. No.4176 of 2024 filed under Article 226 of the Constitution of India praying this Court to issue a writ of certiorarified mandamus calling for the records of the 1st respondent in the Memorandum No. 6851/OTD/A4/2019 dated 26.01.2024 issuing notice counselling and quash the same in so far as by the said memorandum the Provisional Selection of the Petitioner under



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Memorandum No. 6851/OTD-A4/2019 dated 18.04.2023 for appointment by direct recruitment to the post of Assistant Engineer(Tamil Nadu Urban Habitat Development Board) in the Tamil Nadu Slum Clearance Board service included in Combined Engineering Service was cancelled and ordering re-counselling on a misinterpretation of the decision of the Hon'ble Division Bench of this Hon'ble Court in W.A. Nos. 682 to 687 of 2023 dated 20.11.2023 and consequently direct the 1st respondent to treat the petitioner as having been provisionally selected for appointment by direct recruitment to the post of Assistant Engineer in the Tamil Nadu Urban Habitat Development Board in the Tamil Nadu Slum Clearance Board service and direct the 2nd Respondent to considering issuing appointment order to the Petitioner in the post of Assistant Engineer in the Tamil Nadu Urban Habitat Development Board in the Tamil Nadu Clearance Board service pursuant to advertisement No. 613, notification No. 1/2022, dated 04.04.2022, issued by the 1st Respondent.

W.P. No.4411 of 2024 filed under Article 226 of the Constitution of India praying this Court to issue a writ of declaration declaring the provisional selection list published by respondents 1 and 2 for the posts, included in the Combined Engineering Service Examination for the post of Automobile Engineers in the Motor Vehicle Maintenance Department in Tamil Nadu General Service, in so far



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as the final results published and inclusion of the name of the 5th respondent with the Registration 0101001197 on 12.02.2024 by the 1st respondent for the post of Automobile Engineer, is null and void and direct the 4th respondent to appoint the petitioner Automobile Engineer in the Motor Vehicle Maintenance Department in Tamil Nadu General Service in pursuant of the petitioners provisional appointment order issued by the 1st respondent in his Memorandum No.6851/OTD-A4/2019 on 19.04.2023.

W.P. No.4579 of 2024 filed under Article 226 of the Constitution of India praying this Court to issue a writ of certiorarified mandamus calling for the records of the 1st respondent in the Memorandum No.6851 / OTD-A4 / 2019 dated 26.01.2024 and quash the same in so far as by the said Memorandum the Provisional Selection of the petitioner under Memorandum No.6851 / OTD-A4 / 2019 dated 18.04.2023 for appointment by direct recruitment to the post of Assistant Engineer, Rural Development and Panchayat Raj Department Engineering Service was cancelled and ordering re-counselling on a misinterpretation of the decision of the Honourable Division Bench of this Honourable Court in W.A.Nos.682 to 687 of 2023 dated 20.11.2023 and consequently direct the 1st respondent to treat the petitioner as having been provisionally selected for appointment by direct recruitment to the post of



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Assistant Engineer in the Rural Development and Panchayat Raj Department Engineering Service and direct any one of the respondents 2, 3, 4 and 5 to consider issuing appointment order to the petitioner in the post of Assistant Engineer in the Combined Engineering Service pursuant to Advertisement No.613, Notification No.10/2022, dated 04.04.2022 issued by the 1st respondent.

W.P. No.9908 of 2024 filed under Article 226 of the Constitution of India praying this Court to issue a writ of certiorarified mandamus calling for the records of the 1st respondent in the Memorandum No. 6851/ OTD- A4/ 2019 dated 26.01.2024 and quash the same in so far as by the said Memorandum the provisional selection of the petitioner under Memorandum no. 6851/ OTD- A4/ 2019 dated 9.11.2023 for appointment by direct recruitment to the post of Assistant Engineer, Tamil Nadu Urban Habitat Development Board Engineering service was cancelled and ordering re-counselling on a misinterpretation of the decision of the Hon'ble Division Bench of this Hon'ble court in W.A.Nos. 682 to 687 of 2023 dated 20.11.2023 and consequently direct the 1st respondent to treat the petitioner as having been provisionally selected for appointment by direct recruitment to the post of Assistant Engineer in the Tamil Nadu urban Habitat Development Board and direct the 2nd respondent to consider issuing appointment order to the petitioner in the post of Assistant Engineer in the



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Tamil Nadu urban Habitat Development Board Engineering service pursuant to Advertisement No. 613 Notification No. 10/ 2022 dated 4.04.2022 issued by the 1st respondent.

- For Petitioners : Mr. K.Venkatramani, SC, for
Mr. M.Muthappan in WP
1661 & 4411/2024
Mrs. Nalini Chidambaram, SC,
For M/s. C.Uma in WP 3692,
4005, 4013, 4176 & 4579/2024
Mr.Santhan in WP 9908/2024
- For Respondents : Mr. I.Abrar Md. Abdulla, Std.
Counsel for TNPSC in all WPs
Mr. T.M.Rajangam, GA for RR-1,
3 & 4 in WP 1661 R-2 in WP
3692/24
Mr. S.Karthikeyan, SC for TN
UHDB in all WPs
Mr. K.Surendran, AGP for RR-3 &
4 in WP 4411/2024
Mr. P.Balathandayutham, Spl.GP
for RR-2 to 4 in WP 4579/2024
No Appearance for RR-5 & 6 in
WP 1661/2024, R-3 in WP 4005
& 4013/2024 & R-5 in WP
4411/2024

COMMON ORDER

The rejection of the candidature of the petitioners, after being declared as provisionally successful in the process of selection, to the various posts under the Combined Engineering Services, on the basis of the revised provisional list, in



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which the private respondents herein and others were declared as successful by the Tamil Nadu Public Service Commission pursuant to the orders passed by this Court, is put in issue by the petitioners in the present writ petitions.

2. Though the petitioners have applied for various posts under various departments of the Government, however, all the posts were advertised through the Tamil Nadu Public Service Commission under the Combined Engineering Services and, therefore, all the writ petitions are taken up together, as the facts which forms the basis for filing the writ petitions are one and the same and, they are disposed through this common order.

3. The brief facts necessary for the disposal of these writ petitions are as under :-

The Tamil Nadu Public Service Commission (for short 'the Commission') had initiated the process of selection for appointment of Engineers for various departments under the Government through the Tamil Nadu General Service, which included the Combined Engineering Service and notification in this regard calling for applications was issued. On the basis of the notifications, the



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petitioners herein, belonging to different communal categories, had applied for the respective posts.

4. It is the further case of the petitioners that they are fully qualified and they appeared for the written examination and they came out successful in the written examination and they also satisfied the experience and had also uploaded the necessary documents evidencing their qualification, experience and communal status and based on the same, the result was published by showing the name of the petitioners in the list of provisionally selected candidates for on-screen verification and pursuant to the same, the petitioners candidature, including the documents relating to qualification, experience and communal status of the petitioners were verified and the petitioners were held to have satisfied the requirements.

5. It is the further case of the petitioners that they were, thereafter, called upon for oral test which were held on various dates for the various posts for which the notification was issued. It is further averred by the petitioners that even in the annexure to the provisional list, the names of 109 candidates, whose online applications were rejected for various reasons was mentioned.



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Thereafter, the oral test was conducted and the petitioners had come out successful in the oral test and they attended the counselling as well. Pursuant to the same, the petitioners were issued with an order of appointment to the respective posts, which was issued by the Commission.

6. It is the further averment of the petitioners that in the interregnum, some of the candidates, whose applications were not considered and were rejected for various reasons had approached this court by filing W.P. No. 7141/2023, etc. Batch, and vide order dated 20.03.2023, on the basis of petitions of seven candidates, an order had come to be passed in which this Court had directed consideration of their applications as well by permitting them to produce the documents, which were not submitted at the earliest instance, which led to the rejection of their candidature, and further this Court had not only granted relief to the persons, who had come before this Court, but had granted relief to all the 109 candidates, whose candidature was rejected, whose names were shown in the annexure dated 22.02.2023, which direction of the learned single Judge, on appeal was upheld by the Division Bench of this Court in W.A. Nos.682 to 687/2023 vide order dated 20.11.2023.



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7. It is the further averment of the petitioners that on the basis of the said direction of this Court, respondents 1 and 2 had given opportunity to the 109 candidates to appear in person and produce the necessary documents, which they had failed to upload online or uploaded erroneous documents relating to the various posts in the Combined Engineering Services and the said verification was held on 9.1.2024 for which call letter was issued to the candidate on 28.12.2023. Of the 109 candidates, whose online applications have been rejected, it includes candidates of all communal categories and based on the said verification conducted on 9.1.2024, the 1st respondent has published a provisional selection list on 18.1.2024 for oral test to be conducted for 24 candidates to be held on 24.1.2024.

8. It is the further averment of the petitioners that out of the 24 candidates, only 22 candidates who did not properly submitted online application with all the documents were again verified physically. In respect of two candidates with Register Nos.0101001197 and 0101001265, their names did not find place in the candidates list, whose online applications were rejected as per the annexure published on 22.2.2023. It is the further averment of the petitioner that in respect of the 2 candidates, their names appeared in the



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provisional selection list with respect to all categories of posts in the Combined Engineering Services and their online applications were allowed.

9. It is the further averment of the petitioners that in respect of the candidate under Regn. No.0101001197, the said candidate was not selected for the category of automobile engineer post, but had appeared for oral test for General Foreman post. In respect of the candidate under Regn. No.0101001265, the said candidate was called for interview for fulfilment of ratio purpose and though he appeared for participation, but he was not allowed to participate further in the oral test due to certificate issues. It is the further averment of the petitioners that both the candidates were already disqualified not only in physical certificate verification, but also for interview. However, curiously after the order was passed by this Court, the names of the said candidates have been included in the provisional selection list. It is the further averment of the petitioners that they have already been selected and issued with appointment orders and that they are one among the candidates, who were selected under the representative communal category.



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10. In particular, in W.P. No.1661/2024, it is averred by the petitioner that though respondents 5 and 6 were not included in the provisional list, however, respondents 1 and 2, without any valid reasons had called respondents 5 and 6 for certificate verification inspite of the fact that their names did not appear in the list of 109 candidates, whose candidature were rejected for not filing necessary documents in support of their qualifications and communal status. It is the further averment of the petitioners that since the address of respondents 5 and 6 are not available for the petitioner he has impleaded them by quoting the address of the Commission. It is the further averment of the petitioner that the said two candidates have not been called for physical certificate verification on 9.1.2024 but when the provisional list was once again published on 18.1.2024, their registration numbers have been included for interview to be held on 24.1.2024 along with the other 22 candidates, whose certificates were physically verified.

11. It is the further averment of the petitioner in W.P. No.1661/2024 that the selection of the respondents 5 and 6 in the said writ petition is highly illegal, arbitrary and unsustainable and the said selection is bad in the eye of law and



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detrimental to the interests of the other candidates, who were already selected and issued with appointment orders.

12. It is the further averment of the petitioners that the said second provisional selection list was issued without hearing the petitioners, who had already come out successful in the selection process by their filing proper application along with the documents and negating their selection with the selection of the candidates who have not filed proper documents along with the application is highly erroneous and it is pure violation of principles of natural justice as no opportunity has been granted to the petitioners prior to directing consideration of their candidature. Therefore, left with no alternative, the present writ petitions have been preferred.

13. Learned senior counsel appearing for the respective petitioners submitted that once the petitioners are issued with the orders of allotment, without hearing the petitioners, their candidature cannot be revisited, moreso, when the persons, whose applications have been rejected have not properly uploaded their application along with enclosures.



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14. It is the further submission of the learned senior counsel that when this court, in the earlier round of litigation has held that the respondents have not followed the principles of natural justice while considering the candidature of the persons, whose cases were rejected for not uploading proper documents, the petitioners, who were successful candidates and have been issued with an order of allotment ought to have been heard before any order is passed. However, there is infraction of principles of natural justice in the case of the petitioners, which requires to be considered.

15. It is the further submission of the learned senior counsel that the leverage given to the respondents to consider the case of the persons, who have not properly uploaded the documents has resulted in the consideration of the case of the 5th respondent in W.P. No.1661/2024, though his case has been considered for the post of foreman and, therefore, the consideration of the case of the 5th respondent without any rhyme or reason has affected the right of one of the candidates, who would otherwise have been selected for the post of Assistant Engineer.



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16. It is the further submission of the learned senior counsel that the petitioners, who were successful candidates in their communal category, have been selected upon due completion of all procedures and have been issued with allotment orders and for no fault of their, they have been rejected upon the orders of this Court and other persons have been considered, who have not scrupulously followed the conditions prescribed in the application and the said procedure adopted by the respondents is grossly flawed and, therefore, the same requires to be interfered with.

17. Per contra, learned counsel appearing for the respondents submitted though the petitioners were initially selected and issued with allotment orders, later on the petitions filed by the candidates, whose cases were rejected for not filing proper documents evidencing their candidature, based on the interim order and, thereafter, the final orders passed by this Court, the case of the rejected candidates were reconsidered and upon due verification of the documents, the rejected candidates were found to have fulfilled the requirements of qualification and experience. Therefore, it is only based on the orders of this Court that the respondents had revisited the selection process and, therefore, there is no fault



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on the part of the respondents, as they have merely complied with the directions issued by this Court.

18. It is the further submission of the learned counsel that the persons, whose cases were initially rejected for not uploading proper documentary proof, which was later verified and they were found to have fulfilled the requisite qualification and experience, the said candidates had obtained higher marks and were placed at a higher position in the overall list and even under the respective communal category, the said candidates were more meritorious on the basis of marks than the petitioners. Only on the directions of this Court and upon their fulfilling the requisite qualification and experience and upon verification of the documents, based on their more meritorious position in the list, the candidates were selected over and above the petitioners under the respective communal category and, therefore, there is no error in the selection of the said candidates.

19. In respect of the 5th respondent in W.P. No.1661 of 2024, it is the submission of the learned counsel that the 5th respondent was initially admitted provisionally for onscreen certificate verification and after completion of onscreen certificate verification, the application of the 5th respondent had been



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admitted provisionally in the post of General Foreman & Technical Assistant, as he had not submitted the proper certificate evidencing experience for being considered for the post of Assistant Engineer in Automobile Engineering. However, based on the interim orders of this Court in W.A. No.682 to 687 of 2023, on reverification of the documents, the experience certificate, which was wrongly uploaded by the 5th respondent in the “other documents column” was sent for verification and having found it to be genuine, he was appointed in the post of Automobile Engineer and, therefore, the claim of the petitioner that the case of the 5th respondent should not be considered is grossly erroneous.

20. Further, in respect of the 6th respondent in W.P. No.1661/2024, the candidature of the 6th respondent was considered under the Non-PSTM category based on the directions issued by this Court in W.A. Nos.682 to 687 of 2023 and, therefore, the 6th respondent was provisionally admitted for oral test. The entire selection process was revisited on the basis of the directions issued by the Division Bench of this court in W.A. Nos.682 to 687 of 2023 and there is no infirmity in the selection process and, therefore, the same does not require any interference at the hands of this Court.



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21. In spite of notice, the private respondents have not chosen to appear either in person or through counsel. However, in view of the order, which this Court proposes to pass, the presence on behalf of the private respondents is not necessary.

22. This Court gave its careful consideration to the submissions advanced by the learned counsel appearing on either side and perused the materials available on record.

23. The facts in the present case are not in dispute. On the basis of the notification published by the Commission, the selection process was undertaken in which the petitioners were provisionally selected and allotment orders were issued to the post of Assistant Engineers in the various departments of the Government. More particularly, the petitioners were selected under the communal category.

24. Being aggrieved with the selection process, more particularly with regard to the rejection of applications for wrong uploading of documents, persons, whose candidature were rejected, had approached this Court by filing



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writ petitions in W.P. Nos.7414 and 7934 of 2023 and a learned single Judge of this Court directed consideration of their applications and passed the following order:-

“10. The upshot of the forgoing discussion is that the Writ Petitions are ordered on the following terms:

- (i) the Respondent shall forthwith inform through SMS, e-mail and publication in its official website to all those candidates (including the Petitioners) whose online applications have been rejected for failure to upload the required documents in support of their qualification for being considered for selection, to appear for oral interview along with originals of all required documents on specified dates for verification, and consider them for appointment as if their names had been included in the list of candidates provisionally admitted to on-screen certificate verification;*
- (ii) (ii) in the event of the said candidates failing to produce the required documents on the specified dates, their respective applications shall be treated as rejected for not producing proof for the required qualification for the post;*
- (iii) the final result of the impugned recruitment shall be published only after carrying out the aforesaid exercise;*



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(iv) consequently, the connected miscellaneous petitions are closed; and
(v) there shall be no order as to costs.

25. By the said order, not only the persons, who had come before this Court, but also persons, who were similarly placed like the said petitioners, were given a lifeline by this Court and the respondents were directed to consider their candidature notwithstanding the fact that erroneous documents were uploaded by the said persons, though, according to the petitioners therein, they were possessed of the requisite qualification/experience.

26. Against the said order, appeal in W.A. Nos.682 to 687 of 2023 was filed by the Commission and the Division Bench of this Court confirmed the order passed by the learned single Judge, by dismissing the appeals. However, no appeal was taken against the said orders passed by the Division Bench by the Commission.

27. It is to be pointed out here that in the earlier round of litigation, the petitioners herein, who were provisionally selected and allotted, were not parties. However, the said non-impleadment of the petitioners herein had not



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stood in the way of this court to pass the said orders, as this Court, from a perusal of the order, had passed the orders on the touchstone of Article 14 of the Constitution. The order passed by the learned single Judge had also been confirmed by the Division Bench in the appeal and, thereby, the said order attained finality without there being any further appeal.

28. It is to be pointed out here that the petitioners herein have not taken recourse to any judicial proceeding questioning the correctness or otherwise of the order passed by the learned single Judge as also the Division Bench in the earlier round of litigations. Therefore, as a matter of judicial ethics, this Court is bound by the directions issued by the Division Bench unless it is looked into by a higher judicial forum. Therefore, the order passed by the Division Bench having attained finality and the same having not been questioned in any manner by the petitioners herein, this Court cannot enter into the said issue and if at all the petitioners claim that there is violation of principles of natural justice as no opportunity has been afforded to them, this court is not the place such a grievance could be canvassed and the petitioners have to approach the appropriate higher judicial forum to have their grievance redressed.



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29. The only issue that therefore requires the consideration of this Court is as to whether there is any infraction in the consideration of the candidature of the persons, who were the petitioners in the earlier round of litigation, vis a vis the petitioners herein, on the basis of the merits of the respective candidates, who have partaken in the selection process.

30. It is to be noted that the petitioners as well as the persons, who were petitioners in the earlier round of litigations, had applied for the post of Assistant Engineers in various departments of the Government for which the Commission had conducted the Combined Engineering Services Entrance Examination. The candidature of the persons, who were petitioners in the earlier round of litigation was rejected, which was interfered with by this Court, as aforesaid, based on which the respondents had undertaken the task of verification of the certificates, which were erroneously uploaded by 109 persons and upon such physical verification, had revised and published the revised selection list.

31. As per the revised selection list, the petitioners, who were initially selected and allotted under the communal and other reserved categories, were downgraded on the basis of their marks, as the persons, whose certificates were



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verified upon orders of this Court, had obtained higher marks than the petitioners herein and, therefore, they stood over and above the petitioners herein in the selection list and, thereby, the said persons, including respondents 5 and 6 in W.P. No.1661/2024 were provisionally selected and appointed.

32. It is not the case of the petitioners herein that the said persons had not obtained higher marks than the petitioners and that they were below the petitioners in the overall merit list. The only ground on which the petitioners have questioned the selection is that they have not been granted opportunity and that the case of the said persons who have been shown to be above them in the merit list after reverification of the certificates, were rejected. However, as aforesaid, the reverification was done at the instance of the orders of this Court, which has not been questioned and, therefore, the respondents cannot be faulted with for taking up the said exercise.

33. When the petitioners herein have been placed below the persons on the basis of communal and other reserved categories, which has not been questioned nor claimed to be erroneous by the petitioners, this Court has to definitely hold that such selection is on the basis of merit and it is not at the



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whims and fancies of the respondents. The petitioners may be aggrieved by the infraction of principles of natural justice in not granting opportunity to them in the earlier round of litigation, but that cannot be the reason for this Court to interfere with the selection process, which is on the basis of the directions issued by this Court, which cannot be interfered with by this Court, as it is on the basis of the order passed by the Division Bench. Therefore, this Court is in agreement with the selection process and no interference is warranted with the same.

34. Insofar as the selection of the 5th respondent in W.P. No.1661/2024 is concerned, though the 5th respondent has been selected under the category of General Foreman & Technical Assistant, however, his candidature for Assistant Engineer was rejected as he had uploaded his experience certificate under a wrong column. When other persons similarly placed were granted the benefit, the same benefit has been extended to the 5th respondent in W.P. No.1661/2024, which is on the basis of the directions of the Division Bench and, therefore, the said selection and appointment cannot be found fault with and, therefore, the contention in this regard deserves to be negative.



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35. So also the contention relating to the 6th respondent in W.P. No.1661/2024, who has been selected under non-PSTM category, as his admission and provisional selection is on the basis of non-PSTM category, which is evident from the materials furnished by the respondents in the counter and, therefore, his selection also does not require any interference.

36. On a holistic consideration of the entire materials placed before this Court, the procedure adopted by the respondents, is clearly on the basis of the directions issued by this Court and the persons, who were more meritorious than the petitioners have been provisionally selected and appointed and, therefore, the said selection does not require any interference at the hands of this Court.

37. For the reasons aforesaid, all the writ petitions fail and, accordingly, the same are dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

07.01.2026

Index : Yes / No

GLN



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To

1. The Secretary to Government
Tamil Nadu Public Service Commission
V.O.C. Nagar, Park Town
Chennai – 3.
2. Tamil Nadu Public Service Commission
Rep. By Secretary, Public Service Commission
V.O.C. Nagar, Park Town
Chennai – 3.
3. Tamil Nadu Public Service Commission
Rep. By Deputy Secretary
TNPSC Road, V.O.C. Nagar
Park Town, Chennai – 3.
4. The Controller of Examination
Tamil Nadu Public Service Commission
V.O.C. Nagar, Park Town
Chennai 600 003.
5. The Director
Motor Vehicle Maintenance Department
Velachery, Chennai – 42.
6. The Addl. Chief Secretary
Transport Department
Secretariat, Fort St. George
Chennai – 09.
7. The Commissioner
Rural Development & Panchayat
Raj Dept., Panagal Building
Saidapet, Chennai 600 015.



W.P. No.1661/2024, etc., Batch

8. The Chief Engineer
Tamil Nadu Urban Habitat Development
Board, No.5, Kamarajar Salai
Chepauk, Chennai 600 005.
9. The Chief Engineer
Water Resources Dept.
(PWD), Chepauk
Triplicane, Chennai 600 005.
10. The Chief Engineer
Public Works Department
Chepauk, Triplicane
Chennai 600 005.



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W.P. No.1661/2024, etc., Batch

M.DHANDAPANI, J.

GLN

**PRE-DELIVERY ORDER IN
W.P. NOS. 1661, 3692, 4005, 4013
4176, 4411, 4579 & 9908 OF 2024**

**Pronounced on
07.01.2026**