



WP(MD)No.1475 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 30.01.2026

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THE HONOURABLE MR. JUSTICE B.PUGALENDHI

WP(MD)No.1475 of 2026
and
WMP(MD)No.2069 of 2026

D.Esakkimuthu

... Petitioner

Vs

1.State of Tamilnadu,
Represented by its Home Secretary to the Government,
Fort St.George,
Chennai,
Tamil Nadu.

2.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore, Chennai 600 008.

3.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore, Chennai 600 008.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned disqualification order passed by the 2nd respondent and quash the same and consequently direct the respondents to consider the petitioner under the Backward Classes (BC) Category for the Tamil Nadu Uniformed Service Recruitment 2026 to the post of Fireman, Jail Warder and Grade II Police Constable and grant permission to the petitioner to participate PET exam under Backward Classes (BC) Category scheduled on 22.01.2026 and 23.01.2026.

For Petitioner : Mr.I.Velpradeep
For Respondents : Mr.Veera Kathiravan,
Additional Advocate General
Assisted by
Mr.C.Venkatesh Kumar
Special Government Pleader

ORDER

The petitioner is possessing 10th standard qualification and he has applied for the post of Jail Warder and Grade II Police Constable in Tamil Nadu Uniformed Services Recruitment Board, as per the Notification, dated 21.08.2025. The petitioner belongs to Backward



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community and he is having the community certificate issued by the Zonal Deputy Tahsildar, Tenkasi. He has applied to the said post through a computer centre, wherein while submitting the application they have mentioned his community as 'OC' instead of 'BC'. However, this mistake has been pointed out by the petitioner subsequently and it has been rectified by submitting another application on the same day. The grievance of the petitioner is that though the above mistake has been rectified subsequently, this petitioner has been considered under the open category (OC) and he has not been selected for physical endurance test, which is being conducted from 22.01.2026. According to this petitioner, he has secured 59 marks in the written examination and the cut off mark for BC category is 55. Therefore, the learned counsel prays for appropriate orders to the respondents to consider the petitioner's candidature under BC category.

2.The learned Additional Advocate General by referring to the counter affidavit filed by the respondents submits that the petitioner



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has, in fact, in the application submitted by him on 12.09.2025 opted his community as BC and uploaded his BC community certificate. Subsequently he has edited his application on 25.09.2025 and selected his community as OC. Therefore, his candidature was considered under OC category. The relevant portion of the counter affidavit reads as follows:

“6.It is submitted that the petitioner in his affidavit had stated that he inadvertently applied under OC community and that after being aware of the same he immediately rectified the mistake and updated his community as BC. He had claimed that the Board, without considering the same, had treated him under OC and disqualified him. The claim of the petitioner is false and denied. The facts pertaining to the petitioner herein are given in the following paragraphs for perusal of this Hon'ble Court.

7.It is submitted that as per the records of TNUSRB, the application status of the petitioner is OC. On further perusal and information obtained



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from the vendor revealed that the petitioner had submitted his online application on 12.09.2025, when the online application portal was live from 22.08.2025 to 21.09.2025. In the said application he applied under BC by selecting 'yes' against the column "do you possess the community certificate issued by the Government of Tamil Nadu" and uploaded BC Community certificate.

8. It is submitted that thereafter, when the online portal was opened for editing the applications as stated above, this petitioner had logged in on 25.09.2025 and had selected 'No' against "do you possess the community certificate issued by the Government of Tamil Nadu", which led to change in the communal category status as 'OC' thereby automatically deleting the community certificate uploaded by him on 12.09.2025 during submission of his application. The changes made by the candidates during edit option will be displayed for view of the candidate. Upon confirmation by the candidate, the edited details will become final application data for the purpose of recruitment process.



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9. *It is submitted that since the claims and changes that are edited and submitted online amending the initial application become final for the purpose of recruitment process, based on his input in his final online application submitted on 25.09.2025, his category automatically changed from BC to OC. Eventually, the petitioner appeared for written test under OC category on 09.11.2025. During the written test, the petitioner had affixed his signature and left thumb impression against his details specifying 'OC' as his community in the attendance sheet thereby confirming his status as "OC" candidate. He did not raise any contention at the time of written exam. The results of the writ test results were published on 26.12.2025 and the petitioner failed to get selected under OC as stated earlier."*

3.This court considered the rival submissions and perused the materials.



4.The petitioner claims that while submitting the application online through the computer centre, his community was inadvertently mentioned as OC, instead of BC and it has been subsequently rectified correctly as BC. He is also having the community certificate to that effect. However, it is claimed by the respondents that he has changed his community as OC using the edit option and he has attended the written test under the OC category. Be that as it may, it is clear that some mistake regarding the community of the petitioner has crept into his application. In ***Vashist Narayan Kumar vs. State of Bihar [(2024) 11 SCC 785]***, the Hon'ble Supreme Court has relied on the maxim of *De minimis non curat lex* (law does not concern itself with trifles) and held that candidatures cannot be cancelled for trivial omissions or errors. The relevant portion is extracted as under:

“18.....We are inclined to accept the explanation of the appellant that since the appellant was unaware of his own mistake he had mechanically signed the printed form. It is only later, on 11-6-2018, on the publication of the result that the appellant



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realised the error. We do not think that the appellant could be penalised for this insignificant error which made no difference to the ultimate result. Errors of this kind, as noticed in the present case, which are inadvertent do not constitute misrepresentation or willful suppression.

*19. In this case, the appellant has participated in the selection process and cleared all the stages successfully. The error in the application is trivial which did not play any part in the selection process. The State was not justified in making a mountain out of this molehill. Perhaps the rarefied atmosphere of the cybercafe, got the better of the appellant. He omitted to notice the error and even failed to avail the corrective mechanism offered. In the instant case, we cannot turn a Nelson's eye to the ground realities that existed. In the order dated 22-11-2021 in *Prince Jaibir Singh v. Union of India* [*Prince Jaibir Singh v. Union of India*, (2024) 11 SCC 793], this Court rightly observed that though technology is a great enabler, there is at the same time, a digital divide.”*



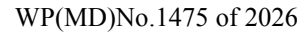
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5.The object of the selection process is to find out the merits of the candidature, no doubt depending upon the roster. When the petitioner has secured necessary marks in the written examination and he is also possessing the requisite community certificate, he can be considered for further selection process. It is not a case of willful misrepresentation or suppression of facts. Therefore, this writ petition is allowed. The respondents are directed to consider the candidature of the petitioner under BC category and permit him to participate in the further selection process. No costs. Consequently connected miscellaneous petition is closed.

30.01.2026

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Note: Issue order on 30.01.2026



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B.PUGALENDHI, J.

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