



W.P.(MD) No.7729 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.7729 of 2023

and

W.M.P.(MD) Nos.7176 & 7177 of 2023

1.K.Periyasamy

2.S.Deepa Thilagai

3.R.Ramya

4.M.Gunaseelan

5.S.Mukilan

... Petitioners

-vs-

The Secretary
Tamil Nadu Public Service Commission
T.N.P.S.C.Road, Broadway
Park Town, Chennai-600 003

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the respondent to publish petitioners results along with rank and provide counseling to petitioners based on the marks secured in the written examination for the post of Combined Civil Services Examination-IV (Group-IV) services for the year 2022 through a Notification



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WEB C No.07/2022, dated 30.03.2022 by considering the petitioner's representation dated 27.03.2023 and email dated 24.03.2023 within the time stipulated by this Court.

For Petitioners : Mr.G.Sakthi Rao

For Respondent : Mr.V.Panneer Selvam

ORDER

All the petitioners herein are the persons, who participated in the recruitment process undertaken by the respondent – Public Service Commission pursuant to Notification No.07/2022, dated 30.03.2022 relating to Group-IV Services for the year 2022 and also appeared for the written examination on 24.07.2022.

2. The results of the said written examinations were published on 24.03.2023. However, the OMR answer sheets of the petitioners herein were declared as “deemed not fit for valuation” and therefore, neither the rank of the petitioners nor marks obtained by them could be published. At that stage, the petitioners made an attempt to approach the respondent – Public Service Commission to know as to why their results were not declared. As there was no response from the respondent – Public Service Commission, the petitioners



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have approached this Court by filing the present writ petition contending that they are well-experienced in appearing for the examinations conducted by the respondent – Public Service Commission and therefore, there is no scope for them for committing any mistake in the OMR answer sheets or any other mistakes. But, their answer sheets were erroneously not valued by the respondent – Public Service Commission. For better appreciation, the relevant paragraphs with specific assertion averred in the affidavit filed in support of this writ petition in this regard are extracted hereunder:

7) I humbly submits that on 24.03.2023 I send the Email to the respondent regarding my results issues after 2 days late on 28.03.2023 TNPSC replied “see the TNPSC group-IV notification Para 14(e)”. I asked only reason for my results with held. I am not asking any other information. But still date there is no fruitful reply from TNPSC. This is not first exam to commit any mistake in OMR we are already wrote nearly 7 or 8 TNPSC exam through OMR methods.

8) I humbly submit there is two possibility to with held my exam results one is “Not qualify in the tamil eligible Test” another one is any mistake in the OMR sheet. But in my results didn't say any reason.

9) I humbly submits that I reasonably believe from my others friends there is some issue with OMR scanning machine and the same news was published in the media. TNPSC hired one new contractor for scanning OMR sheets



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and publish the results so there is a big scam in this issue. We are not committed any misbehave and mistake as mention in the TNPSC instructions. Once again I mentioned here this is not my first exam we already appeared many exams conducted by TNPSC. We have adequate experience and we also completed pre module test in same TNPSC OMR format conducted by coaching centers where we are studying. So we not commit any mistakes in OMR sheets. So we need to see our OMR sheets.”

3. In response to the notice issued by this Court, the respondent – Public Service Commission filed their counter-affidavit contending that the petitioners' OMR answer sheets were invalidated for the reason that the petitioners 1 & 2 failed to sign in the personalized portion of their OMR answer sheets and whereas, the petitioners 3 to 5 failed to shade the bubbles for the question booklet numbers in their OMR answer sheets. It is also further stated that in terms of Paragraph Nos.17-E(i)(g) and 17-E(i)(k) of the Notification No.07/2022, the OMR answer sheet will be invalidated, if it is not signed by the candidate at all required places and also incase if the bubbles for question booklet number are not shaded. As the petitioners herein have committed the said errors, their OMR answer sheets were not valued.



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4. Having been confronted with the above contentions from the counter-affidavit, for the reasons best known, the petitioners have not chosen to file any rejoinder affidavit either contradicting the statements made in the counter-affidavit or denying the same. However, learned counsel for the petitioners contended that under similar circumstances, Coordinate Benches of this Court have directed the respondent – Public Service Commission to evaluate the OMR answer sheets of the candidates and not to disqualify them on technical grounds and placed reliance on the order dated 16.10.2025 passed in W.P.(MD) No.30797 of 2024 and order dated 07.12.2023 passed in W.P.No.32516 of 2023 (Principal Seat) and also a Judgment of the High Court of Delhi dated 21.08.2025 passed in W.P.(C) No.17595 of 2024.

5. This Court has carefully perused the orders and the Judgment relied upon by the learned counsel for petitioners. Those are the cases wherein the petitioners have approached the Court by raising a specific stand that the mistake committed by them is a minor mistake and they cannot be disqualified basing upon such minor mistakes or on technical grounds, without assessing their merit. No doubt, in one of those cases, the candidate was disqualified on the ground that he failed to sign in the OMR answer sheet. But, in the instant case, it is not the case of the petitioners in their affidavit



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filed in support of this writ petition. On the other hand, as seen from Paragraph No.9 of the affidavit, it is the specific case of the petitioners that they have not committed any mistakes whatsoever in their OMR answer sheets. Having asserted so and having approached this Court with a specific case, it is not open for the petitioners to change their stand on seeing the counter-affidavit filed by the respondent – Public Service Commission and to persuade this Court to grant them the relief. Therefore, in the considered view of this Court, the orders passed by this Court and Judgment of the Delhi High Court relied upon by the learned counsel for the petitioners are of no aid to advance the case of the petitioners in the present writ petition. Even otherwise, the detailed examination of the orders and the Judgment relied upon by the learned counsel for the petitioners would indicate that there is no *ratio decidendi* laid down and it is only based on the facts and circumstances of the case, the learned Judges have exercised their discretion under Article 226 of the Constitution of India.

6. This Court, having taken note of Paragraph Nos.17-E(i)(g) and 17-E(i)(k) of the Notification, which have specifically made it clear that the OMR answer sheet will be invalidated if the same is not signed by the candidate at all required places and if the bubbles for question booklet



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number are not shaded. In this regard, it would be relevant to refer to a decision of the Honourable Apex Court in ***State of Tamil Nadu and others vs. G.Hemalathaa and another***, reported in ***(2020) 19 SCC 430***, wherein it was held as under:

“8. We have given our anxious consideration to the submissions made by the learned Senior Counsel for the Respondent. The Instructions issued by the Commission are mandatory, having the force of law and they have to be strictly complied with. Strict adherence to the terms and conditions of the Instructions is of paramount importance. The High Court in exercise of powers under Article 226 of the Constitution cannot modify/relax the Instructions issued by the Commission.

9. The High Court after summoning and perusing the answer sheet of the Respondent was convinced that there was infraction of the Instructions. However, the High Court granted the relief to the Respondent on a sympathetic consideration on humanitarian ground. The judgments cited by the learned Senior Counsel for the Respondent in Taherakhatoon (D) By LRs v. Salambin Mohammad and Chandra Singh v. State of Rajasthan in support of her arguments that we should not entertain this appeal in the absence of any substantial questions of law are not applicable to the facts of this case.



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10. In spite of the finding that there was no adherence to the Instructions, the High Court granted the relief, ignoring the mandatory nature of the Instructions. It cannot be said that such exercise of discretion should be affirmed by us, especially when such direction is in the teeth of the Instructions which are binding on the candidates taking the examinations”

7. In the light of the above, the terms and conditions of the Notification will have force of law and in case the petitioners violate the same, they have to face the consequence for the same.

8. As already noted above, the contents of the counter-affidavit filed by the respondent – Public Service Commission are not disputed by the learned counsel for the petitioners either orally or by filing any rejoinder to the counter-affidavit. When the Notification itself specifically put the petitioners on notice that their OMR answer sheets will be invalidated incase if they commit any of the errors as enumerated in Paragraph No.17-E of the Notification and incase if they fail to be vigilant while writing the examination, it is not for this Court to permit their OMR answer sheets to be evaluated contrary to the terms and conditions of the Notification.



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9. Further, here is a case where 18,36,534 candidates have appeared for the written examination for filling up 10,117 vacancies in Group-IV Services. Out of the said 18,36,534 candidates, 2,932 candidates have not signed in the OMR answer sheets and 7,310 candidates failed to shade the bubbles for question booklet number and therefore, the OMR answer sheets of all those candidates have been invalidated. If the relief sought by the petitioners in this writ petition is granted, the same would amount to asking the respondent – Public Service Commission to violate its own Notification and the same also would open a Pandora box and all other candidates, whose OMR answer sheets are invalidated, would also approach this Court for the identical relief. In this type of matters, sympathy has no role to play, especially when there are 18,36,534 candidates, who have competed for 10,117 vacancies. In fact, invalidation of the OMR answer sheets in terms of Paragraph No.17-E of the Notification is to be construed as one way of screening and eliminating the candidates, who even failed to adhere to the specific instructions issued under the Notification. This itself is to be construed as screening of the candidates. The petitioners herein have failed to pass the said screening test and therefore, the question of granting any relaxation to the petitioners either on the ground of minor mistake or technical mistake does not arise. For these reasons, and also in the light of



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the decision of the Honourable Apex Court in **Hemalathaa's** case, this Court is not inclined to follow the orders and Judgment relied upon by the learned counsel for the petitioners.

10. Further, from the perusal of the orders passed by the Coordinate Benches of this Court and the Judgment of the Delhi High Court relied upon by the learned counsel for the petitioners, it is also evident that in the said orders and Judgment, the specific terms and conditions notified under the Notification, which has the force of law, have not been taken into consideration and therefore, they are to be treated as *per incuriam*.

11. For the above reasons, this Court does not find any merit in this writ petition and the same is, accordingly, dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

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NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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