



2026 INSC 645

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO. OF 2026
(@ SLP (C) NO.7906 OF 2024)**

S. SENTHIL KUMARAN BOSE

APPELLANT

VERSUS

**THE STATE OF TAMIL NADU
AND OTHERS**

RESPONDENTS

WITH

**CIVIL APPEAL NOS. OF 2026
(@ SLP (C) NOS.12856-57 OF 2024)**

N. VAITHI AND OTHERS

APPELLANTS

VERSUS

**THE SECRETARY, THE TAMIL NADU
PUBLIC SERVICE COMMISSION AND
OTHERS**

RESPONDENTS

**CIVIL APPEAL NO. OF 2026
(@ SLP (C) NO.7940 OF 2024)**

M. MOHAMMED ADHIL

APPELLANT

VERSUS

**THE STATE OF TAMIL NADU
AND OTHERS**

RESPONDENTS

CIVIL APPEAL NO. _____ OF 2026
(@ SLP (C) NO.12475 OF 2024)

S. DINESH KUMAR

APPELLANT

VERSUS

**THE TAMIL NADU PUBLIC SERVICE
COMMISSION AND OTHERS**

RESPONDENTS

CIVIL APPEAL NO. _____ OF 2026
(@ SLP (C) NO.12474 OF 2024)

G. RAMKUMAR

APPELLANT

VERSUS

**THE TAMIL NADU PUBLIC SERVICE
COMMISSION AND OTHERS**

RESPONDENTS

CIVIL APPEAL NO. _____ OF 2026
(@ SLP (C) NO.12472 OF 2024)

P. KARTHIC AND OTHERS

APPELLANTS

VERSUS

**TAMIL NADU PUBLIC SERVICE
COMMISSION AND OTHERS**

RESPONDENTS

CIVIL APPEAL NO. _____ OF 2026
(@ SLP (C) NO.12855 OF 2024)

J. SARANYA AND OTHERS

APPELLANTS

VERSUS

**THE TAMIL NADU PUBLIC SERVICE
COMMISSION AND OTHERS**

RESPONDENTS

CIVIL APPEAL NO. _____ OF 2026
(@ SLP (C) NO.20487 OF 2024)

U. OMEZHILAN AND OTHERS

APPELLANTS

VERSUS

**THE TAMIL NADU PUBLIC SERVICE
COMMISSION AND OTHERS**

RESPONDENTS

AND

CIVIL APPEAL NOS. _____ OF 2026
(@ SLP (C) NOS.8880-81 OF 2026)

**THE TAMIL NADU PUBLIC SERVICE
COMMISSION AND OTHERS**

APPELLANTS

VERSUS

P. SATHEESH PRABU AND OTHERS

RESPONDENTS

J U D G M E N T

ATUL S. CHANDURKAR, J

1. Leave granted.
2. Applications for impleadment are allowed.
3. Recruitment on 113 posts of Motor Vehicle Inspector-Grade II by the Tamil Nadu Public Service Commission¹ pursuant to Notification dated 14.02.2018 has been embroiled in litigation. The Madras High Court by its impugned judgment having directed a fresh exercise to be undertaken by the official respondents, aggrieved candidates and the TNPSC have come up in appeal.
4. By Notification No.3/2018 dated 14.02.2018 issued by the TNPSC, 113 posts of Motor Vehicle Inspector-Grade II were sought to be filled through direct recruitment. The recruitment was undertaken by the Tamil Nadu Transport Subordinate Services. The selection was to be undertaken in three stages. Firstly, a written examination of all candidates was to be conducted. Thereafter, verification of their certificates and documents was to be done followed by oral interview of the candidates. Initially the TNPSC received 2176 applications from interested candidates. After initial screening, 1328 candidates were permitted to appear

¹ For short, 'the TNPSC'

in the written examination. 33 candidates passed in the written examination. A list to that effect was accordingly published on 15.07.2019. One of the candidates indicated his disinclination to participate in the further process of recruitment. Accordingly, 32 candidates came to be provisionally selected and on 04.11.2019 appointment orders were issued to them. The selection of the said 32 candidates for interview was the subject matter of challenge in various writ petitions before the Madras High Court. By common judgment dated 24.01.2020, a learned Single Judge set aside the appointment of the 32 candidates. A fresh verification of the workshop experience certificates of all 1328 candidates was directed to be undertaken. It was clarified that the experience of one year as required would be satisfied if a candidate had worked for at least 240 days in a given year. Consequently, the list of 32 candidates that had been published earlier was effaced.

5. The parties aggrieved by the aforesaid judgment preferred writ appeals before the Division Bench. After hearing the concerned parties, the Division Bench partly allowed the writ appeals and upheld all the directions issued by the learned Single Judge except Direction No.44(g). A verification of work experience certificates, validity of driving license and driving experience certificates as per Clause 10 of the advertisement was directed to

be carried out. A list of candidates in the ratio of 1:2 was to be drawn after which the candidates were to undergo an oral test.

This order passed by the Division Bench was challenged before this Court in **K. Ilavarasan and others Vs. R. Vijayaraj and others**². The said proceedings, however, were dismissed on 19.01.2021.

6. The process of selection was again undertaken and on the basis of marks obtained in the written examination, a list of 226 candidates was published by the TNPSC on 28.04.2021 and they were called for oral test. Being aggrieved by the said list, aggrieved candidates again approached the High Court by filing separate writ petitions. A learned Single Judge decided the said writ petitions vide common order dated 10.02.2023. Various issues that arose for consideration were divided into XI batches alongwith other miscellaneous issues. In conclusion, the learned Single Judge directed the TNPSC to complete the selection process and publish the final selection list at the earliest.

7. The parties aggrieved by this adjudication preferred writ appeals before the Division Bench. By the impugned judgment, the Division Bench found that in various Government Orders, there

² SLP (C) No. 13571 of 2020

was no stipulation for renewal of approval for operating the workshops. It therefore directed the entire process of recruitment to be re-done after verifying the experience of the candidates in respect of petrol and diesel fitted engines. The Division Bench while disposing of the writ appeals issued various directions so that the process of recruitment would be completed within a short time. It directed the Director/Commissioner of the Transport Department to take a decision regarding the effect of retrospective renewal or refusal of such retrospective renewal to all the workshops and to communicate the same to the TNPSC within four weeks from the date of the judgment. Depending on the decision of the State Government with regard to renewal of the workshops, the TNPSC was directed to publish the select list within a period of two weeks and inform the concerned candidates accordingly. The driving license of candidates were also to be verified within specified period. The entire selection process was directed to be completed within a period of twelve weeks from receiving a copy of the judgment.

8. Before this Court various aggrieved parties have challenged the judgment of the Division Bench. SLP (C) No.7906 of 2024 (*S. Senthil Kumaran Bose Vs. The State of Tamil Nadu and others*) has been preferred by a candidate claiming that he had gained the

requisite work experience from a Government approved workshop. He having found place is the initial select list of 33 candidates, he ought to have been included in the selection list dated 28.04.2021 as the conditions stipulated in Clause 6(B) of the Notification dated 14.02.2018 had been satisfied. SLP (C) Nos.12856-57 of 2024 (*N. Vaithi and others Vs. The Secretary, The Tamil Nadu Public Service Commission and others*) and SLP (C) No.7940 of 2024 (*M. Mohammed Adhil Vs. The State of Tamil Nadu and others*) have been filed by candidates who are similarly placed as the candidate in SLP (C) No.7906 of 2024. SLP (C) No.12475 of 2024 (*S. Dinesh Kumar Vs. The Tamil Nadu Public Service Commission and others*), SLP (C) No.12474 of 2024 (*G. Ramkumar Vs. The Tamil Nadu Public Service Commission and others*), SLP (C) No.12472 of 2024 (*P. Karthic and others Vs. Tamil Nadu Public Service Commission and others*), SLP (C) No.12855 of 2024 (*J. Saranya and others Vs. The Tamil Nadu Public Service Commission and others*) and SLP (C) No.20487 of 2024 (*U. Omezhilan and others Vs. The Tamil Nadu Public Service Commission and others*) have been preferred by candidates who were included in the select list dated 28.04.2021 comprising of 226 candidates. They are aggrieved by the direction to undertake the entire selection process afresh. SLP (C) Nos.8880-81 of 2026 (*The Tamil Nadu Public Service Commission and others*)

Vs. P. Satheesh Prabu and others) has been preferred by the TNPSC as it is aggrieved by the direction to disclose the marks secured by candidates who were not in the zone of consideration.

I. Civil Appeals arising out of SLP (C) No.7906 of 2024, SLP (C) Nos.12856-57 of 2024 and SLP (C) No. 7940 of 2024

9. The appellants in this batch of appeals are candidates whose names were reflected in the list of 33 candidates that had been initially published by the TNPSC on 15.07.2019. Since one amongst the said candidates did not participate further in the selection process, the list was reduced to 32 candidates. This list was the subject matter of challenge at the instance of those candidates whose names did not figure in the list published on 15.07.2019. The learned Single Judge in the first round of litigation set aside the entire list of 32 candidates and a fresh selection process was directed to be undergone. In the subsequent list published on 28.04.2021, 226 candidates were called for oral test. The names of the present appellants did not find place in the said list. Being aggrieved, the appellants challenged the said list dated 28.04.2021 by filing separate writ petitions. The appellants having failed to get any relief before the learned Single Judge pursuant to judgment dated 10.02.2023 preferred writ appeals wherein the selection process was directed to be completed afresh

after considering the aspect of renewal of approvals granted to various workshops. Being dissatisfied with the judgment of the Division Bench dated 22.12.2023, the appellants have come up in appeal.

10. We have heard the learned Senior Advocates for the appellants, the official respondents and contesting candidates as well as the impleaded candidates. The primary grievance of the appellants is that in view of their placement in the initial list of 33 candidates published on 15.07.2019, their names could not have been excluded from the subsequent list of 226 candidates published on 28.04.2021. As per the impugned judgment, the aspect of experience as required under Clause 6(B) of the Notification was stated to be not satisfied by the appellants. It is to be seen that as per the impugned judgment, the Director/Commissioner of Transport was directed to take a decision regarding grant of retrospective renewal to all concerned workshops. In this regard, we may refer to the counter affidavit that has been filed on behalf of the Motor Vehicles Maintenance Department³ of the State of Tamil Nadu by its Director dated 09.01.2025. It has been stated therein that pursuant to the

³ For short, 'MVMD'

direction issued in paragraph 88(a) of the impugned judgment, retrospective approval had been granted to all the approved workshops and the MVMD had submitted the workshop experience of all the 1328 candidates to the TNPSC. As per that report, the appellant in Civil Appeal arising out of SLP (C) No.7906 of 2024 initially did not satisfy the criteria of workshop experience. However, with the grant of retrospective approval to all approved workshops, a re-verification of the workshop experience certificate was undertaken and in paragraph 43 of the counter affidavit, it has been stated that the appellant now had more than one year of workshop experience.

In Civil Appeals arising out of SLP (C) Nos.12856-12857 of 2024, similar counter affidavit has been filed by the Director, MVMD. In paragraph 48 thereof, it has been stated that after re-verification of the workshop experience certificates of all the appellants, it was found that they possessed workshop experience of more than one year. Similar is the case in SLP (C) No.7940 of 2024. In paragraph 48 of the counter affidavit filed by the Director, MVMD, it is stated that the appellant had more than one year of experience. A consolidated chart filed alongwith the counter affidavits referred to above is reproduced for reference. The same reads as under:

Workshop experience gained by the Petitioner (As per orders passed by the Hon'ble Division Bench of Madras High Court in W.A. 590 of 2023)

Name of the Candidate & ID No.	Name of the Workshop & Category	Period of experience claimed by the candidate	MVMD Approval period	Whether the experience was within the approval Period	Whether the candidate had worked in the workshop for 240 days as per Notification 6(B)	Whether the candidate worked in vehicles fitted with both petrol and diesel engine.	Remarks whether the candidate fulfilled all the norms for the workshop experience as per the notification 6(B)	Consideration Period due to Retrospective Effect	Total Period of Experience of Candidate Whichever is Applicable	Remarks
S. Senthil kumaran Bose ID No.1360	Dharmaraj Auto Carriage Thanjavur Road MVMD Approved Private Workshop	17.10.2014 to 08.12.2015	01.04.2013 to 31.03.2015 01.04.2015 to 31.03.2017	17.10.2014 to 31.03.2015 (5 Months 15 Days) & 01.07.2015 To 08.12.2015 (5 Months 8 Days)	YES	YES	Originally not Satisfied. Satisfied the Norms if Retrospective effect is given as per Division Bench order.	01.04.2015 to 30.06.2015 (3 Months)	1 year, 1 month, 21 days	Had more than one year workshop experience
N. Vaithi ID No.1104	Sri Ramakrishna Automobile Workshop Rajapalayam MVMD Approved Private Workshop	07.09.2009 to 31.03.2011	01.04.2009 to 31.03.2011	07.09.2009 to 31.12.2010 (1 year 3 months 24 days)	YES	YES	Satisfied the Norms with available experience	Does not arise	1 year, 3 months, 24 days	Had more than one year workshop experience
B. Prasanna Raja ID No.1367	K. Arumugam Auto Workshop, Sivakasi, Virudhunagar. MVMD Approved Private Workshop	01.01.2010 to 31.03.2011	01.04.2009 to 31.03.2011	01.01.2010 to 31.03.2011 (1 Year 3 months)	YES	YES	Satisfied the Norms with available experience	Does not arise	1 year, 3 months	Had more than one year workshop experience (As per the orders passed by the Hon'ble Single Judge to include the petitioner's name in the selection list to TNPSC)
S. Vinish ID No.729	ABT Industries, Madurai. MVMD Approved Private Workshop	05.05.2007 to 28.02.2015	01.04.2009 to 31.03.2011	01.04.2009 to 30.05.2010 (1 Year 1 Month 30 Days)	YES	YES	Satisfied the Norms with available experience	Does not arise	1 year, 1 month, 30 days	Had more than one year workshop experience
S. Abdul Munaf ID No.865	N.A. Rahamathulla Automobile Works, Kovilpatti. MVMD Approved Private Workshop	01.04.2015 to 31.03.2016	01.04.2015 to 31.03.2017	As per the documents produced by the counsel for the petitioners in the writ petition case the petitioner had one year experience.	YES	YES	Satisfied the Norms with available experience	Does not arise	01.04.2015 to 31.03.2016 (1 Year)	Had more than one year workshop experience

N. Venkatraman ID No.1091	Sri Ramakrishna Automobile Workshop, Rajapalayam MVMD Approved Private Workshop	01.10.2009 to 31.03.2011	01.04.2009 to 31.03.2011	01.10.2009 to 31.12.2010 (1 Year 3 Months)	YES	YES	Satisfied the Norms with available experience	Does not arise	1 year, 3 months	Had more than one year workshop experience
M. Mohamed Adhil ID No.909	Dharmaraj Auto Carriage, Thiruvavur MVMD Approved Private Workshop	15.09.2014 to 31.10.2015	01.04.2013 to 31.03.2015 01.04.2015 to 31.03.2017	15.09.2014 to 31.03.2015 6 Months 16 Days 01.07.2015 to 31.10.2015 4 Months	YES	YES	Originally not Satisfied. Satisfied the Norms if Retrospective effect is given as per Division Bench order	01.04.2015 to 30.06.2015 3 Months	1 year, 1 month, 16 days	Had more than one year workshop experience

11. It is, thus, clear from the aforesaid that the MVMD after undertaking the exercise of re-verification has submitted its report to the TNPSC on 10.04.2024. It is seen from the record that this Court while issuing notice in the present proceedings on 17.05.2024 had stayed the operation of the impugned judgment insofar as it is related to paragraph 88(a). Thus, before the passing of the interim order on 17.05.2024, the direction contained in paragraph 88(a) was carried out and the report of re-verification of the workshop experience certificates was sent to the TNPSC on 10.04.2024. The further exercise as required to be carried out in terms of paragraph 88(b) and onwards was not carried out.

12. The manner in which the directions contained in paragraph 88(a) were carried out by the Transport Department has been placed on record. The relevant extracts from the affidavit filed by the Director, MVMD dated 09.01.2025 in SLP (C) No.7906 of 2024

reads as under:

“42. As per the common order passed by the Hon'ble Division Bench of Madras High Court in Writ Appeal No.590 of 2023 retrospective approval has been granted to all the approved workshops and relatively the workshop experience report of all the 1328 candidates had been submitted to the Tamil Nadu Public Service Commission.....

43. Hence it is submitted that as per the report of the re-verification of workshop experience certificate submitted by the answering Respondent to the Tamil Nadu Public Service Commission vide office letter dated 10.04.2024 as per the orders passed by the Hon'ble Division Bench of Madras High Court now the petitioner had more than one year workshop experience.

44. It is submitted that in compliance with the directions of the Hon'ble Division Bench, MVMD again re-verified the Workshop Experience of the candidates. The Inspection Officers also approached the respective TNSTC Officials for re-verification. The Re-Verification Report was delayed since the relevant particulars were not furnished by TNSTC Officials within the stipulated time. Hence, it was not possible to complete the work within the four weeks period as ordered by the Hon'ble Division Bench. Hence, MVMD filed C.M.P.No.8147/2024 seeking six more weeks' time to complete the Work. MVMD had also filed C.M.P.No. 7895/2024 seeking clarifications of para 88(a). The said CMPs have been rendered infructuous in view of the present Special Leave Petition filed by the Petitioner herein.

45. It is submitted that most of the Workshops who had Approval before 2006, do not have the necessary details regarding the renewal of Factory License and Fire Insurance for the relevant periods, at this distance, due to efflux of time, while MVMD did the re-verification pursuant to the Orders of the Hon'ble Writ Court. It is not feasible for MVMD to deny the Approval already granted to the concerned Workshops at that relevant period, now, for want of records of renewal of Fire Insurance and Factory Licence and fulfilment of requirements by the concerned workshop, for those periods. At that point of time, Approval had been issued for the whole two years block period. In compliance of the Order of the Hon'ble Division Bench and based on the re-verification done after the Common Order of the Hon'ble Division Bench, MVMD had submitted their Report to TNPSC vide R.C.No.B4/1064/2020, dated 10.04.2024, certifying that 794 Candidates [(i) Experience in major approved workshop of MVMD = 702; (ii) Experience in TNSTC= 30; (iii) Experience in Government 62] from out of 1328 Candidates are eligible with One Year Workshop Experience as per TNPSC's Notification.”

There is no further challenge to the aforesaid re-verification report communicated by the MVMD to the TNPSC on 10.04.2024. It is, thus, clear that the aspect of retrospective renewal having been worked out, the recruitment process now ought to be taken to its logical end.

13. In the light of the fact that the workshop experience certificates submitted by the appellants have been duly verified as well as re-verified by the MVMD and it has been stated in its counter affidavits that the workshop experience of each appellant exceeds one year in an approved workshop, the appellants would be entitled to have their names considered for inclusion in the select list to be published by the TNPSC as directed in paragraph 88(b) of the impugned judgment. The other directions issued in paragraph 88 pertain to the manner in which the selection process has to be taken further and completed. The appellants would be required to compete with all other eligible and similarly placed candidates and seek their selection accordingly. Considering the fact that the recruitment exercise commenced pursuant to Notification No.03/2018 dated 14.02.2018 and a period of more than six years has since elapsed, the TNPSC shall complete the

entire exercise at the earliest and in accordance with the time schedule stipulated by the High Court.

The Civil Appeals are accordingly disposed of. Pending interlocutory applications are also disposed of.

II. Civil Appeals arising out of SLP (C) No.12475 of 2024, SLP (C) No.12474 of 2024, SLP (C) No.12472 of 2024, SLP (C) No.12855 of 2024 and SLP (C) No.20487 of 2024

14. The appellants herein are candidates whose names were included in the list dated 28.04.2021 comprising of 226 candidates. By virtue of the impugned judgment of the Division Bench, a direction has been issued to undertake a fresh exercise of recruitment after complying with the directions in the matter of grant of renewal to all the workshops from where the candidates had got their work experience. It was urged by the learned Senior Advocate on behalf of the appellants in Civil Appeal arising out of SLP (C) No.12472 of 2024 that by virtue of the impugned directions, the appellants were prejudiced as they would be required to again undergo the process of selection notwithstanding the fact that their names were included in the revised list of 226 candidates. By virtue of the impugned directions, the earlier adjudication with regard to the same recruitment had been nullified. The candidates whose names were included in the list

dated 28.04.2021 had also been called for oral test. Even the exercise of verification of their experience certificates had been scrupulously undertaken and there was no necessity whatsoever to go into the issue of retrospective approval to the concerned workshops. The recruitment having commenced pursuant to Notification dated 14.02.2018, there was no justification in setting aside the steps taken till the passing of the impugned judgment and directing the entire process to be undertaken again. Reliance was placed on the decisions in **Ashok Kumar Yadav and others Vs. State of Haryana and others**⁴, **U.P. Public Services Commission Vs. Subhash Chandra Dixit and others**⁵, **Sunil Kumar and others etc. Vs. Bihar Public Service Commission and others etc.**⁶ and **State of Uttar Pradesh and others Vs. Atul Kumar Dwivedi and others**⁷ and it was urged that the recruitment process be directed to be completed pursuant to the revised select list dated 28.04.2021.

15. The principal grievance raised by the appellants whose names figure in the revised list dated 28.04.2021 is that it was not necessary to direct the entire process to be undertaken afresh after

⁴ 1985 INSC 137

⁵ 2003 INSC 606

⁶ 2015 INSC 770

⁷ 2022 INSC 24

permitting the State Government to take a decision regarding grant of/denial of retrospective renewal to the concerned workshops. In the impugned judgment, the Division Bench has found that the workshops that had issued the experience certificates initially had the necessary approval. The dispute was with regard to the period when their applications for renewal of approval were pending and were being processed. It was further found that prior to 2012-13, the Director had approved the workshops with retrospective effect. No policy decision was brought on record by the State Government to indicate permissibility of grant of approval with retrospective effect prior to 2012-13 or that grant of approval with retrospective effect was discontinued after 2012-13. The decision in this regard was taken by the concerned Director at his discretion and this was found to be arbitrary and discriminative. The Division Bench further found that the concerned workshops were always shown to be approved by the State Government and that even during the period of eclipse, Government vehicles were being attended to by such workshops. It noted that neither the candidates nor the workshops had any control over the matter as well as the aspect as to when the renewal certificates would be issued by the concerned authorities. This could not be a reason to deprive a candidate of his right to seek employment based on experience

gained at such workshop, especially when he was not at fault. Pertinently, it was also found that the grant of renewal with retrospective effect had not been challenged by any party and the approval continued to operate. It is for these reasons that the Division Bench was of the view that the State Government ought to take a conscious decision in the matter of grant of approval to the workshops with retrospective effect, re-consider the rejection of the applications of candidates on the ground that approval to the said workshops was not in force when the experience was gained and that such approval was subsequently granted. The concern expressed by candidates placed like the appellants that they would be required to undergo the ordeal of selection again was also taken into consideration by observing that merit of the candidates *inter se* would ensure the inclusion of the appellants in the select list if they were meritorious.

16. We find all the reasons assigned by the Division Bench that led to issuance of the direction in paragraph 88(a) of taking a decision with regard to grant of renewal with retrospective effect are cogent and in accordance with law. After finding that there was no uniform policy in place with regard to the grant of renewal to approval with retrospective effect, the decision taken by the

Director at his own level was found to be arbitrary. The candidates who gained experience in such workshops which were shown to be approved on the concerned website or workshops whose applications for renewal were pending but were attending to Government vehicles could not have been prejudiced. After finding that the candidates were not at fault due to pendency of an application for renewal of approval and in absence of a definite policy in this matter, the direction to take a decision in the matter of grant/denial of renewal with retrospective effect was issued to the State Government.

17. In our view, this direction results in providing a level playing field to all the candidates so that they are placed at par with each other. This would also result in more meritorious candidates being available for selection from a larger pool which would also be in public interest. Once it is found that a class of candidates had been deprived of proper participation in the selection process for no fault of theirs, the direction to undertake fresh process of recruitment does not deserve to be interfered with, especially when those candidates who were placed in the revised select list dated 28.04.2021 are also permitted to participate in the process of selection. No vested right could be claimed merely by placement in

the revised select list, especially when the right of participation in the fresh selection process was not being taken away. We, therefore, do not find any justifiable legal ground to hold the conclusions recorded by the Division Bench that led to passing of the direction in paragraph 88(a) of the impugned judgment liable to be interfered with.

The Civil Appeals are accordingly disposed of. Pending interlocutory applications are also disposed of.

III. Civil Appeals arising out of SLP (C) Nos.8880-81 of 2026

18. The TNPSC is aggrieved by the directions issued by the Division Bench of the High Court in its common judgment dated 22.12.2023 in Writ Appeal No.590/2023 and connected appeals, especially the direction to reveal the marks of candidates who do not come within the zone of consideration in the recruitment process conducted by it pursuant to Notification No.03/2018. By that Notification dated 14.02.2018, 113 vacancies on the post of Motor Vehicle Inspector-Grade II in the Tamil Nadu Transport Subordinate Services were sought to be filled in through direct recruitment.

19. The recruitment process conducted by the TNPSC faced legal challenges that resulted in two rounds of litigations. In the second

round of litigation that was initiated pursuant to publication of list of 226 candidates on 28.04.2021, the TNPSC was concerned with candidates claiming benefit under the 'Persons Studied in Tamil Medium'⁸ quota. While the candidates relied upon the certificate issued by the Head of the Institution where the candidates had pursued their education in Tamil medium, according to the TNPSC it had the power to independently ascertain whether the concerned Institution was applying Tamil as the medium. In that regard, the learned Single Judge by his common judgment dated 10.02.2023 held that the Head of the Institution having issued a certificate to the effect that the concerned candidate had undertaken education in Tamil medium, such certificate had to be necessarily acted upon. The candidates who had relied upon such certificates were held eligible to have their names included in the PSTM quota.

In the writ appeals filed before the Division Bench, this finding of the learned Single Judge was upheld in paragraph 80 of the common judgment. It was further observed that there was no requirement in the Notification dated 14.02.2018 to get any letter from the Directorate of Technical Education in that regard.

20. The TNPSC is also aggrieved by the direction to disclose the

⁸ For short, 'PSTM'

marks of candidates who did not fall within the zone of consideration. According to it, in view of the judgment of this Court in **Joint Directors and Central Public Information Officer and another Vs. T.R. Rajesh**⁹, such a direction to disclose the marks of candidates could not have been issued. The Division Bench in paragraph 83 of the impugned judgment held that since marks of certain candidates had already been declared and made public, it was in public interest that the marks of candidates who did not come within the zone of consideration be also communicated to them individually. It was clarified that such candidates would not be entitled to a copy of their answer sheets. While disposing the writ appeals, a direction to communicate the marks of candidates who did not fall within the zone of consideration was issued in paragraph 88(f). The TNPSC sought review of the said judgment dated 22.12.2023 as regards the findings in paragraphs 80, 83, 88(f) and 89. The Review Application, however, was rejected.

21. In the aforesaid backdrop, we have heard the learned counsel for the parties and we have perused the documents on record. Having given due consideration to the rival submissions, we do not find any reason to take a different view from that taken by the

⁹ 2018 INSC 179

Division Bench with regard to the PSTM quota as well as the direction to communicate the marks of candidates not falling within the zone of consideration.

Insofar as the PSTM quota is concerned, the learned Single Judge considered the said issue in Batch VI vide paragraphs 53 to 59. The certificate issued by the Head of the Institution where a candidate underwent the diploma course in Tamil medium was found to be sufficient, especially when Notification No.03/2018 did not prescribe any further requirement. The Division Bench also found the submission of such certificate from the Head of the Institution to be sufficient. The exams having been written by the candidates in Tamil language, the Division Bench did not accept the stand of the TNPSC that the Directorate of Technical Education also ought to look into this aspect. We are in agreement with what has been held by the learned Single Judge and affirmed by the Division Bench in this regard.

22. Insofar as the direction to reveal the marks of candidates not falling within the zone of consideration is concerned, the Division Bench relied upon *Joint Directors and Central Public Information Office and another (supra)* to hold that it was in public interest that such marks be disclosed. In the aforesaid decision, this Court held that if in a given case, the Court finds that public interest requires

furnishing of such information, it is entitled to issue such direction. The Division Bench was of the view that the process of recruitment having been engaged in litigation for more than five years, it was in public interest that the marks of candidates be revealed so as to put a quietus to the said aspect. It further clarified in paragraphs 83 and 88(f) that the candidates would not be entitled to a copy of their answer sheets. We do not find any reason whatsoever to take a different view of the matter. All relevant aspects having been taken into consideration and the Court on being satisfied that public interest required disclosure of marks of the candidates individually, we do not find any reason to interfere in that regard.

23. Consequently, these Civil Appeals are also disposed of. Pending interlocutory applications are also disposed of.

.....**J.**
[J.K. MAHESHWARI]

.....**J.**
[ATUL S. CHANDURKAR]

NEW DELHI,
JUNE 15, 2026.