

W.P.No.37725 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2025

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CORAM :

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

W.P.No.37725 of 2025 and
WMP No.42200 of 2025

Senthil Kumar

... Petitioner

Vs.

1 The Tamil Nadu Service Commission
 Rep. by its Secretary,
 Frazer Bridge Road, V.O.C.Nagar,
 Park Town, Chennai.

2 The Controller Of Examination,
 Tamil Nadu Public Service Commission
 Frazer Bridge Road V.O.C.Nagar,
 Park Town, Chennai.

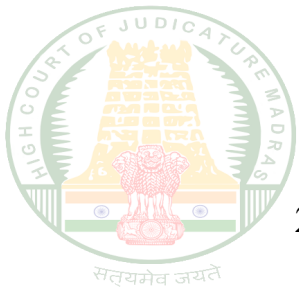
... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Declaration, to declare that the clause No.4.2.1 of the notification No.13/2025 Advertisement No.717, dated 03/09/2025 on the file of the 1st respondent in so far as “on the date of notification” is null and void.

For Petitioner : Mr.K.Myilsamy
 For Respondents : Mr.B.Vijay,
 Standing Counsel

ORDER

This writ petition has been filed to declare that the clause No.4.2.1 of the notification No.13/2025 Advertisement No.717, dated 03/09/2025 on the file of the 1st respondent in so far as on the date of notification is null and void.



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2. Mr.B.Vijay, learned Standing Counsel takes notice for the respondents.

3. By consent, this Writ Petition is taken up for final disposal today at the admission stage itself.

4. The case of the petitioner is that the first respondent had issued notification dated 03.09.2025 through online for the direct recruitment to the post of Field Assistant in the Combined Technical Services Examination (ITI Level) - II. The petitioner had written examination for ITI (required qualification) in the month of July 2025 and its results have been declared on 04.09.2025 and that the petitioner was unable to submit the online application for the above post on the last date i.e., on 02.10.2025. Hence, he filed the present writ petition seeking the aforesaid relief.

5. The learned counsel for the petitioner would submit that though the notification for Combined Technical Services Examination (ITI Level) – II is dated 03.09.2025, ITI Exam results were declared on 04.09.2025, and for which the petitioner could not be faulted and refused to apply for the said post.

6. Per contra, the learned Standing Counsel appearing for the

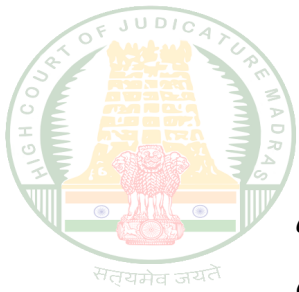


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respondents would submit that similar to the present petitioner, there could be a large number of candidates who were not eligible as per requirement of rules / advertisement since they did not possess the required eligibility on the last date of submission of the application forms. If any benefits granted to the petitioner, it would be violative of the doctrine of equality. Hence, he would submit that since the petitioner was not qualified on the date of notification, the application cannot be entertained. In view of the same, the relief sought by the petitioner, cannot be declared by this Court.

7. Admittedly, the notification for the direct recruitment to the post of Combined Technical Services Examination (ITI Level) – II has been issued on 03.09.2025 and on 03.09.2025 the petitioner was not having the requisite qualification. As stated by the learned Standing counsel, since the petitioner was not having requisite qualification on the date of notification, he could not be allowed to apply for the exam. In ***Rakesh Kumar Sharma V. State (NCT of Delhi)*** reported in ***(2013) 11 SCC 58***, the Hon'ble Supreme Court has held thus:

“22. It also need to be noted that like the present appellant there could be large number of candidates who were not eligible as per the requirement of rules /



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advertisement since they did not possess the required eligibility on the last date of submission of the application forms. Granting any benefit to the appellant would be violative of the doctrine of equity, a backbone of the fundamental rights under our Constitution. A large number of such candidates may not have applied considering themselves to be ineligible adhering to the statutory rules and the terms of the advertisement.

8. In view of the above, I do not find any merit in the writ petition.

Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

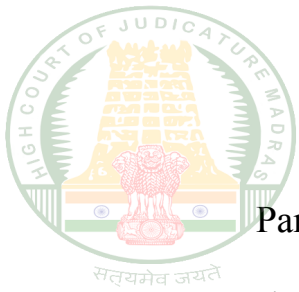
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Index : Yes/No
 Speaking Order : Yes/No
 Neutral Citation : Yes / No
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To:

- 1 The Tamil Nadu Service Commission
 Rep. by its Secretary,
 Frazer Bridge Road, V.O.C.Nagar,

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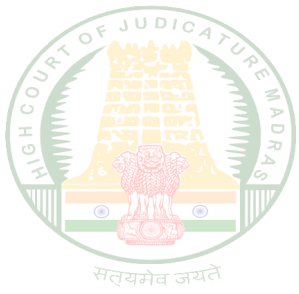
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