

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:07.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P.No.33947 of 2017 and WMP.No.37659 of 2017

E.Prema Rani

.. Petitioner

Vs

The Secretary,
Tamil Nadu Public Service Commission,
No.3, Frazer Bridge Road,
V.O.C.Nagar,
Chennai 600 003

... Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of writ of Mandamus directing the Respondent to allow the petitioner (Regn No.020 215132 to participate in the Oral Test in the shape of an interview for selection to the posts included in Combined Civil Services Examination II (Interview Posts) (Group II Services), and consequently, select and appoint the petitioner in Group II Services based on merit in selection in pursuant to the Notification No.7/2015 dated 30.04.2015 with all consequential and other attendant benefits.

For Petitioner : M/s.G.Sankaran

For Respondents : Ms.C.N.G.Niraimathi

Standing Counsel for TNPSC

ORDER

The learned counsel appearing for the petitioner would submit that the petitioner is a MBA Graduate and having qualified with typewriting Higher (English and Tamil) and she belongs to backward Community (BC). While her husband working as Soldier in Indian Army, suddenly died on 12.03.2007 at Shampirpet Filed Firing Range and she left in lurch after the demise of her husband and she was issued with priority certificate of Deputy Director of Ex-Service Men's Welfare, based on which, she got an appointment as Lab Assistant in Forensic Science Laboratory, Coimbatore on 18.09.2014. In the meanwhile, pursuant to Notification No.7/2015 dated 30.04.2015 issued by the Tamil Nadu Public Service Commission, inviting application through direct recruitment to the vacancies in the post involved in Combined Civil Services Examination II, which is an interview post, the petitioner has applied for the same

and she was issued with a call letter to appear for preliminary examination on 26.07.2015. After passing the preliminary examination, she has also taken part in the main written examination on 21.08.2016. Since she has been provisionally selected, she was invited to take part in the certificate verification on 24.10.2017, during the certificate verification, it was found that she not paid the examination fees for preliminary examination and wrongly enjoyed the exemption of benefit of paying the fees. On this score, the petitioner was not issued with call letter to attend the oral interview. Challenging the same, she filed this writ petition seeking for a aforesaid prayer to allow the petitioner to participate in the oral test in the shape of an interview for selection to the posts.

2. The learned counsel appearing for the respondent has drawn the attention of this Court to the Counter affidavit and would submit that during certificate verification, the petitioner did not produce the Destitute Widow certificate as claimed by her in online application and admittedly, not furnished the fact that she has already employed in Tamil Nadu Government Service as Laboratory Assistant in Forensic Science Department and getting a monthly income of more than Rs.4,000. The learned counsel appearing for the respondent would further submit that the petitioner has suppressed the fact of her employment and obtained an order of interim direction from this Court on 22.12.2017. However, non payment of examination fee is not alone the sole criteria for rejection of her application and hence, prays for dismissal of this writ petition.

3. Heard the submission of the learned counsel appearing for the petitioner, so also, the learned counsel appearing for the respondent.

4. Considering the facts and submissions, especially the fact that the petitioner has suppressed the fact that she has already been employed in Tamil Nadu Government Service and obtained an interim order dated 22.12.2017 and also not furnished the Destitute widow certificate as claimed by her in on-line application, this Court is of the view that the writ petition filed by the petitioner is devoid of merit and accordingly, the same stands dismissed. No costs. Consequently, the connected miscellaneous petition also stands closed.

Sd/-

Assistant Registrar (CCC)

//True copy//

Sub Assistant Registrar

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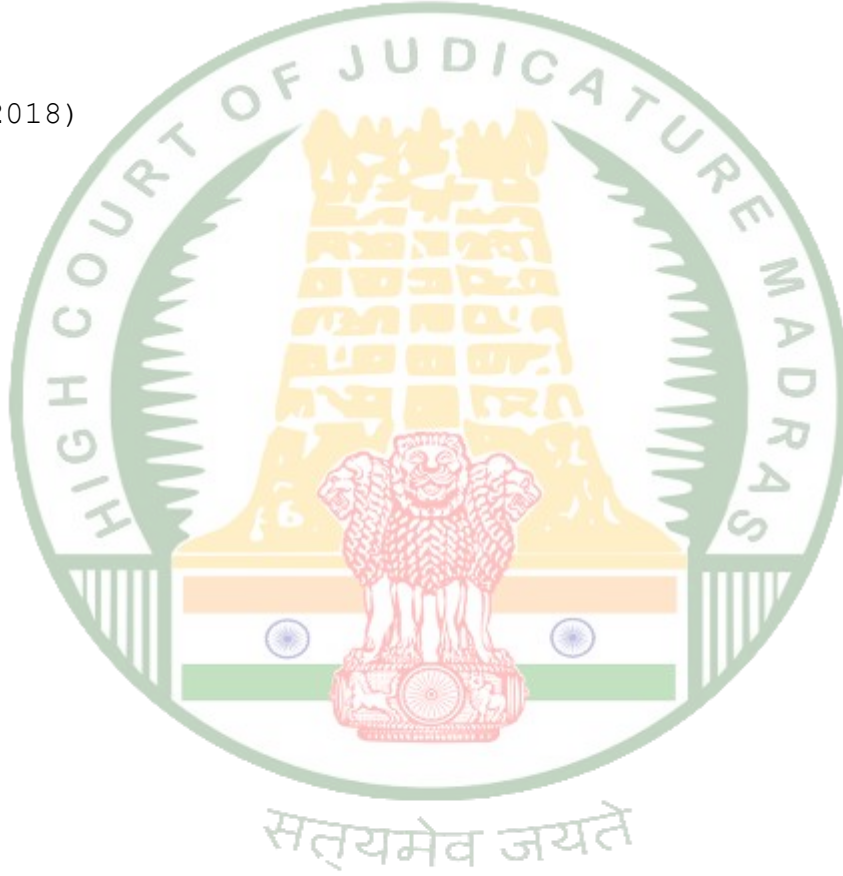
TO

The Secretary,
Tamil Nadu Public Service Commission,
No.3, Frazer Bridge Road,
V.O.C.Nagar,
Chennai 600 003.

+lcc to Mr.G.Sankaran, Advocate SR.No.36097

W.P.No.33947 of 2017

MP(CO)
GN(12/07/2018)



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