



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2018

CORAM:

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE Mrs. JUSTICE R.THARANI

W.A. (MD) No.454 of 2018

M.Kanahavalli

... Appellant

Vs.

1. The Chairman,
Tamil Nadu Public Service Commission,
Frazer Bridge Road,
V.O.C. Nager, Park Town,
Chennai.

2. The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road,
V.O.C. Nager, Park Town,
Chennai.

... Respondents

PRAYER : The Appeal filed under Clause 15 of Letters Patent against the order passed by his lordship Hon'ble Mr.Justice R.Suresh Kumar passed in W.P.(MD)No.12599 of 2015 dated 12.05.2017.

Prayer in WP(MD). 12599/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, directing the respondents to issue the rank details in the Petitioner s Registration No. 260106086 for the post of Typist, within a stipulated time fixed by this Honourable Court.

For Appellant : Mr.M.P.Senthil

For Respondents : Mr.D.Sivaraman

JUDGMENT

(Judgment of the Court was made by T.S.SIVAGNANAM,J.)

Heard Mr.M.P.Senthil, learned counsel appearing for the appellant and Mr.D.Sivaraman, learned counsel appearing for the respondents.

2.This appeal is directed against the order made in W.P. (MD)No. 12599 of 2015 dated 12.5.2017. The appellant filed the Writ Petition to direct the respondents to issue rank details in respect of the appellant's registration No.260106086 for the post of Typist within a stipulated time.

3.The legal issue which is to be decided as to whether the petitioner/appellant applied for the post of Typist and she had



mentioned as Junior Grade in type-writing. As a matter of fact she has completed Senior Grade certificate both English and Tamil type-writing and that should be considered and mark should be awarded to her.

4. This issue is well settled in several decisions which was noted by the Writ Court while dismissing the writ petition.

5. The learned counsel for appellant relied the decision of the Division Bench of the Delhi High Court in **Arkshit Kapoor Vs. Union India and others in W.P.No. 3721 of 2017 dated 31.07.2017** and submitted that the appellant completed both English and Tamil type-writing and hence, she should be considered and should be awarded more marks and declare the petitioner as selected.

6. Unfortunately, the issue has been settled holding that contents contained in the annexure to the applications and the information published by the TNPSC relates to the selection are binding on the candidate. We can only sympathies with the case of the petitioner because we cannot issue direction to the TNPSC to award more marks. Therefore, we are not inclined to interfere with the decision of the Writ Court. Accordingly, the Writ Appeal is dismissed. No costs. However this order will not prejudice the case of the appellant and hence, she may apply for subsequent selection.

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Chairman,
Tamil Nadu Public Service Commission,
Frazer Bridge Road,
V.O.C. Nager, Park Town,
Chennai.

2. The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road,
V.O.C. Nager, Park Town,
Chennai.

+1cc to Mr.M.P.Senthil, Advocate Sr.No.57011

+1cc to Mr.D.Sivaraman, Advocate Sr.No.56388

GNS

VB/SV/MMS/SAR4/22/05/2018/2P/5C

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