

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.27784 of 2019
and
W.M.P. No. 27318 of 2019

N. Bakkia Lakshmi

... Petitioner

Vs.

The Chairman,
TNPSC, TNPSC Building,
TNPSC Road,
Chennai - 600 103.

... Respondent

Prayer:

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records in Respondent order of rejection dated 05.09.2019, quash the same with regard to the petitioner candidature alone in pursuant to the notification No. 31/18 dated 02.11.2018 and consequently direct the Respondent to permit the petitioner to produce her PSTM (Tamil medium) certificate for verification towards appearing for the Oral interview to be conducted on 18.09.2019 to 20.09.2019 or any other date as may be fixed by the respondent.

For Petitioner : Mr.M.Velmurugan

For Respondent : Mr.A.Devendiran (for TNPSC)
Standing Counsel

O R D E R

This Writ Petition has been filed by the petitioner, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records in Respondent order of rejection dated 05.09.2019, quash the same with regard to the petitioner candidature alone in pursuant to the notification No. 31/18 dated 02.11.2018 and consequently direct the Respondent to permit the petitioner to produce her PSTM (Tamil medium) certificate for verification towards appearing for the Oral interview to be conducted on 18.09.2019 to 20.09.2019.

2. According to the petitioner, she is a post graduate in B.Sc. Zoology and belongs to (SC) Community. Pursuant to the notification dated 2.11.2018, the petitioner applied for the post of Executive Officer Grade - III Group VII - B Services by way online method. Thereafter, the petitioner appeared for written examination. Since, her name was not found in the list of the selected candidates, the petitioner approached the respondent and on enquiry she came to know that she was successfully completed written examination, however, her name was not shown in the selection list since the petitioner has not uploaded PSTM Certificate of her graduation. Subsequently, by order dated 05.09.2018 the respondent rejected the candidature of the petitioner. Challenging the said rejection order the petitioner is before this Court.

3. The learned counsel appearing for the petitioner would submit that the petitioner has come out successful in the written examination but she was not selected for interview on the ground that the petitioner has not uploaded PSTM Certificate of her graduation, which is not a major deficiency since the petitioner is given opportunity to appear for oral interview, she could get more marks irrespective of the marks ear marked towards PSTM certificate. Therefore, the learned counsel would submit that an opportunity may be extended to the petitioner to appear for the interview by quashing the rejection order passed by the respondent.

4. Mr. A. Devendiran, Learned Standing Counsel appearing for the Respondent submits that the petitioner has applied for the post towards PSTM category for which 20% reservation has been ear marked. He would point out that the applicants who claims reservation towards PSTM category should have studied the prescribed qualification for the post in Tamil medium and should have certificate for the same and the qualification prescribed for the subject post is degree, but the petitioner has uploaded the PSTM certificate pertains to +2 qualification and not degree qualification. The learned Special Government Pleader would refer to clause J of the notification which denotes that subsequent claims made after submission online application would not be entertained and failure to submit the documents within the stipulated time limit would entail rejection of the application. Therefore the learned Standing Counsel would submits that the respondent has rightly rejected the candidates of the petitioner for the above said reason which does not call for any interference by this Court.

5. Heard learned counsel appearing for the petitioner and learned Standing Counsel appearing for the respondent and

perused the entire material placed on record.

6. Admittedly, the petitioner has applied for the post under the category of PSTM and it is not in dispute that the petitioner has not uploaded PSTM certificate pertains to the degree qualification but she only uploaded PSTM certificate pertains to +2 qualification. Having claimed reservation under PSTM quota and applied under the said category the petitioner cannot now seek to treat her in general category and to quash rejection order of cancellation of candidature and permit her to appear for interview irrespective of PSTM category which cannot be entertained at this stage. While clause (B) of the notification clearly indicates that the persons who claim reservation under PSTM category, should have studied prescribed qualification for the post in Tamil medium and should have the certificate for the same and those persons alone are entitled to claim reservation whereas the petitioner having fully known the above said fact, miserably failed to upload the PSTM certificate of degree qualification but only uploaded PSTM certificate of +2 qualification which is not required at all.

Therefore, considering this aspect the respondent has rightly rejected the candidature of the petitioner by the impugned order and as rightly contended by the learned Standing Counsel, it requires no interference.

7. For the above said reasons the writ petition fails and the same is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CJ Conf)

//True copy//

Sub Assistant Registrar

To

The Chairman,
TNPSC, TNPSC Building,
TNPSC Road, Chennai - 600 103.

+1cc to Mr.M.Velmurugan, Advocate SR.No.82257
+1cc to Mr.M.Devendran, Advocate SR.No.81817

W.P.No.27784 of 2019
and
W.M.P. No.27318 of 2019

VG I (CO)
GMY (01/11/2019)