



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.08.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P. No.7005 of 2020
and
W.M.P.No.8357 of 2020

(Through Video Conferencing)

M.Arivazhagi

... Petitioner

Vs

The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road,
Park Town, Chennai - 3.

... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent to select and appoint the petitioner to the post of Typist/Junior Assistant for the Group-IV Services pursuant to the Notification No.19/2019, in Advertisement No.549, dated 14.06.2019 under PSTM and DW category on merits and to extend all benefits arising thereto.

For Petitioner : Mr.L.Chandrakumar

For Respondent : Mr.Bala Murali Krishnan
TNPSC

ORDER

The Petitioner had applied for the post of Typist in Group-IV Service examination conducted by the TNPSC. The examination was held on 01.09.2019 and the results were published on 12.11.2019. Thereafter, the petitioner was called for certificate verification on 08.03.2020.

2.The petitioner had applied in the category of Destitute



Widow- Persons Studied Tamil Medium (PSTM). At the time of certificate verification, the petitioner was not in possession of PSTM certificate and therefore, her selection was rejected. The petitioner has later obtained certificate from the School, where she passed out in the year 1986-87 and 1988-89 in SSLC and HSC respectively.

3.The learned counsel for the petitioner submits that the issue is now covered by two decisions of this Court, one in W.P.No.40807 of 2020 vide order dated 12.07.2021 and another order in W.P.No.6937 of 2020 vide order dated 16.07.2021. Both orders are passed by the Hon'ble Mr.Justice M.S.RAMESH. He submits that similar relief may be given to the petitioner, as she was otherwise qualified. He further submits that the petitioner scored 175.5 marks in the exam conducted by TNPSC and her rank was 415 in the general rank and 43 in the special category of Destitute Widow.

4.Defending the rejection of the petitioner's selection and distinguishing the decisions rendered by this Court in the above two decisions, the learned counsel for the respondent submits that, in those cases the fault was on the part of E-seva while uploading the PSTM certificate, whereas, in this case, on the date of certificate verification, the petitioner did not possess the requisite certificate.

5.I have considered the arguments advanced by the learned counsel for the petitioner and the respondent.

6.The case of the petitioner is that, she was otherwise qualified in the competitive exams conducted by TNPSC and scored 175.5 marks, 415 in the general ranking and 43 in the special category of Destitute Widow.

7.Considering the fact, that the petitioner has also obtained certificate of PSTM on 24.02.2020, the case of the petitioner deserves to be considered sympathetically, as she had applied in the special category of Destitute Women. Further, there is no dispute that the petitioner is otherwise qualified and would have got selected if the certificate was produced at the time of verification. Since PSTM certificate was obtained by the petitioner immediately on 24.02.2020, certifying that the petitioner had studied at SSLC and HSC in Tamil Medium during the year 1986-87 and 1988-89, the petitioner deserves the relief sought for in the writ petition.



8. Accordingly, this Writ Petition is allowed. The respondent is directed to issue appointment order to the petitioner to report to duty within a period of 30 days from the date of receipt of a copy of this order. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-III)

// True Copy//

Sub Assistant Registrar

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To:

The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road,
Park Town, Chennai - 3.

+1cc to Mr.L.Chandrakumar, Advocate, S.R.No.37952

W.P. No.7005 of 2020
and
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SR-II (CO)
SU (27/08/2021)