

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.01.2021

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.8007 of 2020

and

W.M.P.Nos.9453 and 9454 of 2020

M.Malathy

... Petitioner

-vs-

Tamil Nadu Public Service Commission
Rep. by its Secretary,
TNPSC Road,
Fort, Chennai-600 003.

... Respondent

Prayer: Petition is filed under Article 226 of Constitution of India to issue a Writ of Mandamus, directing the respondent to select and appoint the petitioner to the post of Steno Typist by declaring her as eligible for such appointment.

For Petitioner : Mr.V.Veluchamy

For Respondent : Mr.N.Balamuralikrishnan

O R D E R

The petitioner has filed this writ petition, seeking a direction to the respondent to select and appoint the petitioner to the post of Steno Typist by declaring her as eligible for such appointment.

2. The case of the petitioner is that she applied for the post of Steno-Typist in pursuance of the notification of the respondent / TNPSC for the year 2018-2020 and her application was rejected for not having uploaded the certificate of Shorthand Tamil Senior. It is further case of the petitioner that the certificate of Typewriting English was uploaded twice instead of the certificate of Shorthand Tamil Senior, which is purely a human error. Therefore, she prayed for permitting her to participate in the counselling, as she is in possession all required documents / certificates.

3. The respondent, by filing a counter affidavit, stated that the candidates were required to upload the documents in support of their claim through e-seva centres and the candidature will be summarily rejected, in case any document is wrongly uploaded / not uploaded in the official website of

the Commission and the petitioner is one such candidate, who has uploaded incomplete or improper application and documents. Moreover, all the vacancies have been duly filled up in strict adherence to the norms of the TNPSC and as on date, there are no vacancies. Hence, the respondent contended that the Writ Petition is liable to be dismissed.

4. In this case, even though the petitioner applied for the post of Steno-Typist, the fact that the petitioner had not given correct details and even assuming for the sake of argument that the petitioner has erroneously uploaded the certificate, her case cannot be considered favourably, in view of the fact that once the application has been wrongly uploaded, the petitioner, as a matter of fact, cannot seek for appointment. It may be true that though the petitioner possessed all the required certificates, the same were not presented to the respondent through Commission website and in the absence of furnishing correct particulars, the petitioner will not be entitled to any relief and the rejection of her candidature is perfectly valid. Hence, the Writ Petition is dismissed.

5. Before parting with the order, this Court wants to emphasize that already there is a shortage of efficient and technical hands, who are qualified both in stenography and typewriting and the respondent / TNPSC, instead of standing on technicalities, must give an opportunity to persons like the petitioner, whose services should be utilized after testifying their excellency both in Tamil and English and the software of the Commission should be modified accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

The Secretary,
Tamil Nadu Public Service Commission
TNPSC Road, Fort,
Chennai-600 003.

W.P.No.8007 of 2020

PL(CO)
CSR 31.03.2021