



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD)No.17916 of 2021
& WMP (MD) No.14782 of 2021

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M.Sathya

... Petitioner

vs.

1.The Tamilnadu Public Service Commission,
rep. by its Secretary,
Park Town, VOC Nagar,
Chennai-600003

2.The Village Administrative Officer,
Thuthur Division,
Ponnamaravathi Taluk,
Pudukkottai District.

... Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to accept the persons studied in Tamil Medium Certificate uploaded by the petitioner as M.Pavithra instead of M.Sathya in view of the clarification certificate issued by the second respondent dated 13.08.2021 at the time of certificate verification and permit the petitioner to participate in the main written examination of the TNPSE combined Civil Services Examination Group I Services within the time frame stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For 1st Respondent : Mr.K.K.Senthil, Standing counsel
Counsel for State
For 2nd Respondent : Mr.A.K.Manickam
Standing Counsel

O R D E R

This petition has been filed seeking for issuance of a Writ of Mandamus, to direct the first respondent to accept the persons studied in Tamil Medium Certificate uploaded by the petitioner as M.Pavithra instead of M.Sathya in view of the clarification certificate issued by the second respondent dated 13.08.2021 at the time of certificate verification and permit the petitioner to participate in the main written examination of the TNPSE combined Civil Services Examination Group I Services within the time frame stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.

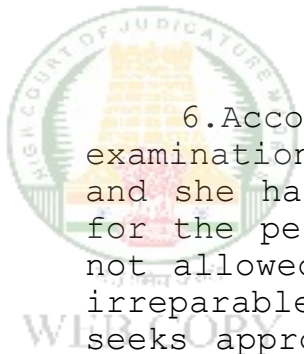
<https://hcservices.ecourts.gov.in/hcservices/>



3. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

4. According to the petitioner, she was born on 20.06.1997 at Government Pappayee Hospital Valayapatti Pudukkottai District. At the time of admitting in the school, the petitioner's parents have registered her name as M.Sathya in the Birth Certificate dated 29.06.1997 but she had enrolled for the elementary education in the Panchayat Union Primary School, Manappatti, her name was mentioned as M.Pavithra and the same had reflected in all the educational records during the Academic year 2002 to 2007 i.e., from I Standard to 5th Standard. Thereafter, the petitioner had enrolled in the VI Standard in the V.V.Higher Secondary School, Ponnamaravathi, Pudukkottai District and her name was duly registered as M.Sathya and thereafter, all the educational records including 10th, 12th Mark Statement, Transfer Certificate, bachelor of Science Degree etc her name had reflected as M.Sathya. The petitioner had applied for TNPSC Combined Civil Services Examination Group I Services and had participated in the preliminary examination on 03.01.2021 and cleared the prelims on 09.02.2021. The petitioner has been asked to upload the Certificates for verification on main written examination which was held on 16.08.2021 to 16.09.2021 for posting Tamil PDR. The petitioner has studied in Tamil as Medium of instruction from I Standard to XII Standard. The Headmaster, Panchayat Union Primary School, Manappatti School has issued the certificate to the petitioner effecting her name as M.Pavithra instead of M.Sathya. The petitioner uploaded the requisite documents on 06.09.2021 including PSTM Certificate issued in the name of M.Pavithra. The second respondent, on 13.08.2021 had certified that the said M.Pavithra and M.Sathya are one and the same and she was permitted for certificate verification and to participate in the main written examination of the TNPSC Combined Civil Services Examination Group I Services.

5. According to the petitioner, the name M.Pavithra and M.Sathya denotes the same person. She studied upto V Standard in Tamil Medium and thereafter, she had enrolled in the 6th Standard as M.Sathya and thereafter, in all the educational records including 10th, 12th Mark Statement, Transfer Certificate, bachelor of Science Degree etc her name had reflected as M.Sathya. Therefore, the petitioner has submitted a representation dated 25.09.2021 through RPAD to the respondents stating that an inadvertent mistake has been committed by her while up-loading the documents to TNPSC Combined Civil Services Examination Group I Services and requesting to permit her to produce all the relevant documents with regard to her name wrongly mentioned as M.Pavithra instead of M.Sathya. However, the said representation is still pending and no orders were passed till date.



6. According to the petitioner, she had passed the preliminary examination and yet to participate in the main written examination and she has been asked to upload the certificates for verification for the persons who studied in Tamil Medium. If the petitioner was not allowed to appear in the written examination, she will suffer irreparable loss in her entire career. Therefore, the petitioner seeks appropriate direction to the respondents and therefore, she has come forward by way of present Writ petition before this Court.

7. The learned counsel appearing for the petitioner would submit that since the written examination is scheduled to be held on 07.10.2021, the respondents may be directed to consider the petitioner's representation dated 25.09.2021 in accordance with law.

8. The learned Standing counsel appearing for the respondents would submit that if the petitioner has satisfied the authority concerned by placing the relevant documents in support of her representation, the said representation will be considered in accordance with law.

9. Considering the submissions made by the learned counsel on either side and considering the limited prayer as sought by the petitioner, this Court, without expressing any opinion on merits, directs the first respondent to consider the petitioner's representation dated 25.09.2021 on merits and in accordance with law as expeditiously as possible by taking note of the main written examination is scheduled to be held on 07.10.2021. It is needless to say that the petitioner shall produce all the relevant documents before the first respondent at the time of certificate verification.

10. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

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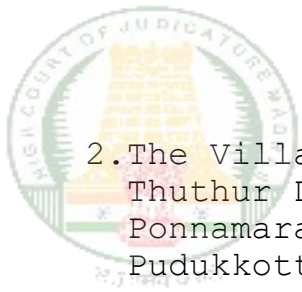
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Sub Assistant Registrar (CS-II)

To

1. The Secretary,
Tamilnadu Public Service Commission,
Park Town, VOC Nagar,
Chennai-600003

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Village Administrative Officer,
Thuthur Division,
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+1 CC to M/s.K.K.SENTHIL, Advocate (SR-30841[F] dated 01/10/2021)

Order made in
W.P. (MD) No.17916 of 2021
01.10.2021

MK/01.10.2021/4P/4C