



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.12.2021

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**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P(MD)No.19755 of 2021  
& WMP(MD) No.16451 of 2021**

R.Archanadevi

... Petitioner

**Vs.**

1.The Chairman,  
Tamil Nadu Public Service Commission,  
TNPSC Road,  
Park Town,  
Chennai-600 003

2.The Controller of Examination,  
Tamil Nadu Public Service Commission,  
TNPSC Road,  
Park Town,  
Chennai- 600 003

... Respondents

**Prayer** : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to permit the petitioner to upload the certificates relating to her educational qualification for onscreen certificate verification for oral test for the post of Agriculture Officer (Extension) included in the Tamil Nadu Agriculture Extension Service for the year 2019-2020 and 2020-2021 and alternatively permit the petitioner to produce the certificates relating to her educational qualification for physical verification and permit the petitioner to participate in the oral test.

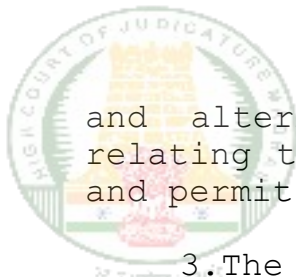
For Petitioner : Mr.D.Shanmugaraja Sethupathi

For Respondents : Mr.J.Anand Kumar

**ORDER**

Heard Mr.D.Shanmugaraja Sethupathi, learned counsel appearing for the petitioner and Mr.J.Anand Kumar, learned counsel appearing for the respondents.

2.This Writ Petition has been filed, seeking for issuance of a Writ of Mandamus, to direct the respondents to permit the petitioner to upload the certificates relating to her educational qualification for on-screen certificate verification for oral test for the post of Agriculture Officer (Extension) included in the Tamil Nadu Agriculture Extension Service for the year 2019-2020 and 2020-2021

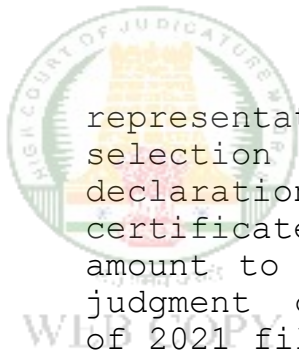


and alternatively permit the petitioner to produce the certificates relating to her educational qualification for physical verification and permit the petitioner to participate in the oral test.

3.The case of the petitioner is that she applied to the post of Agriculture Officer (Extension) which was called for by the respondents vide Notification no.4 of 2021 dated 05.02.2021, through OnLine mode by 'direct recruitment' included in the Tamil Nadu Agriculture Service. The petitioner appeared for written examination conducted by the respondents on 18.04.2021 and the results were published on 22.09.2021. The petitioner was provisionally selected in the written examination and she was directed to upload the scanned copies of the documents in support of her claims made in her application from 29.09.2021 to 07.10.2021 to appear for oral test. However, the petitioner failed to upload the same within the stipulated time on the ground of her ill health during the relevant period. The petitioner made a representation dated 18.10.2021 by enclosing the Medical Certificate to the respondents seeking indulgence to permit her to upload the documents for On-screen certificate verification after expiry of the date fixed by the respondents. However, her representation was not considered by the respondents till date. Therefore, the petitioner has come forward before this Court by way of the present Writ Petition.

4.The learned counsel for the petitioner would submit that the petitioner is hailing from rural area and having poor background and residing in a remote village, where there are no proper facilities and hence, she has completed her education with great difficulties and due to ill health, she could not upload the certificates for Onscreen certificate verification within the time frame as stipulated by the respondents. The learned counsel further submitted that she has performed her written examination well and there is possibility to succeed in the selection process and in view of the mistake committed by her that too due to her ill health, her scope of getting job in the selection process should not be defeated. He further added that out of 721 candidates, who have been selected in the written examination, 719 candidates have already uploaded the certificates and only two candidates, including the petitioner had failed to do the same. Due to ill health, the petitioner could not upload the same at the relevant point of time, but however, it is only certificate verification and the certificate verification can be made even during oral test/interview, which yet to be conducted and therefore, the learned counsel for the petitioner requests this Court to invoke the jurisdiction of this Court under Article 226 of the Constitution of India to consider the case of the petitioner.

5.Mr.Anand Kumar, learned counsel for the respondents would submit that it is settled proposition of law that there cannot be any relaxation of the notification and the if respondent keeps on  
<https://hccaseservices.gov.in/e-services/> candidates at every stage of selection process on their



representations, it would become an endless process and the selection could not be finalized in time and this would affect the declaration of result of those candidates, who had uploaded their certificates promptly as called for by the respondents and it will amount to opening of Pandora's box. He has also relied upon the judgment of the Hon'ble Division Bench of this Court in W.A.No.1629 of 2021 filed by the Tamil Nadu Public Service Commission as against the order dated 09.03.2021 made in WP.No.1568 of 2021.

6.The learned counsel for the respondents has also referred to the instructions issued in paragraph nos.12(I), 13(d) and 15 of the Notification dated 05.02.2021, which read as follows:

Para 12(I)

Evidence for all the claims made in the online application should be uploaded/submitted in time, when documents are called for any subsequent claim made after submission of online application will not be entertained. Failure to upload/submit the documents within the stipulated time limit will entail rejection of Application.

Para 13(d)

Individual communication regarding the date and time of Certificate Verification, Oral Test and counselling (as applicable) will not be sent to the applicants by post. The details will be made available on the Commission's website. Applicants will be informed of the above fact only through SMS and e-mail and they should watch the Commission's website in this regard. Commission is not responsible for non-delivery of SMS/e-mail due to any reasons.

Para 15

Applicants should upload the required documents for proof in respect of all the claims made in the application with reference to this notification as and when called for. If the required Certificates are not uploaded by the applicant within the stipulated time, his/her application will be rejected.

7.The learned counsel for the respondents has also referred to the condition imposed in the Memorandum No.913/APD-D1/2021 dated 23.09.2021 Clause (iv) & (v) of para.3, which reads as follows:

"3(iv) If he/she fails to upload any one or more of the documents/certificates within the stipulated time limit, he/she will not be permitted to further stage of the selection process and his/her candidature will be rejected without any further notice.'..

Notes appended to very same memorandum reads as



(v) Candidates who have been admitted provisionally to the Onscreen Certificate Verification are hereby advised to upload the scanned copy of all the relevant documents without fail. Failure to upload even any one of the essential documents within the time limit stipulated above will result in their non-admission to the next stage of selection and rejection of their online application.''

8.This Court paid its anxious consideration to the rival submissions made by the learned counsel on either side.

9. No doubt it is the settled proposition of law that the Notification issued inviting applications akin to the selection process, cannot be delayed or violated. But in this case, the issue is with regard to the uploading of the certificates through the Online mode within the stipulated time and the selection process is of three stages i.e., Written examination, Certificate verification and Oral test/interview. In the present case, written examination was completed and the petitioner has been provisionally selected and eligible to appear for the Oral Test/Interview. Before the Oral Test/Interview, the respondents have instructed the candidates to upload the certificates through Online. In view of the present Pandemic situation, the schedule of the Notification has been altered by the respondents and the date of the Oral Test/interview has not been fixed so far. In such circumstances, the case of the petitioner can be considered by the respondents sympathetically and she can be given an opportunity to upload the certificates. Since it was only the certificate verification and also the date of Oral Test/interview has not been fixed so far, this Court is inclined to issue the following direction to the petitioner :

(i) The petitioner shall appear in person before the respondents and to produce the certificates for verification on or before 16.12.2021.

(ii) If such certificates being produced, the respondents shall consider the case of the petitioner sympathetically, in view of the present Pandemic situation and if the petitioner is otherwise found eligible, shall allow the petitioner in the process of Oral Test / Interview.

10.With the above directions, the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To:

1.The Chairman,  
Tamil Nadu Public Service Commission,  
TNPSC Road,  
Park Town,  
Chennai-600 003

2.The Controller of Examination,  
Tamil Nadu Public Service Commission,  
TNPSC Road,  
Park Town,  
Chennai- 600 003

+1 CC to M/s.D.SHANMUGARAJA SETHUPATHI, Advocate ( SR-38068[F] dated 09/12/2021 )

**W.P (MD) No.19755 of 2021**  
**07.12.2021**

MK/10.12.2021/5P/4C