



W.P.No.2773 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 14.11.2022**

CORAM :

**THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM**

**W.P.No.2773 of 2019**

**and**

**W.M.P.Nos.3043 & 3044 of 2019**

R.Ramya

... Petitioner

Vs.

The Secretary,  
Tamilnadu Public Service Commission,  
TNPSC Road,  
Park Town, Chennai - 600 003.

... Respondents

**Prayer** : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the Respondent Service Commission to rectify the typographical error, with regard to the month of Birth in the Date of Birth entry, on the on-line application of the petitioner in Application No.723272730, for the posts include in the Combined Civil Service Examination (Group-IV) 2015-2018, Advertised in Notification No. 23/2017 dated 14.11.2017, inadvertently entered at the time of making the on-line application of the petitioner, and to permit the petitioner for Counselling for post allotment, in the said Group -IV Examination 2015-2018, on considering the Scheduled Tribe Communal Rank Position 70 of the petitioner, to be Selected and Appointed on merit.



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For Petitioner : M/s.P.K.Rajesh Praveen Kumar

For Respondent : M/s.G.Hema for TNPSC.

### **ORDER**

The relief sought for in the present writ petition is to direct the Respondent Service Commission to rectify the typographical error, with regard to the month of Birth in the Date of Birth entry, on the On-line Application of the petitioner in Application No.723272730, for the posts include in the Combined Civil Service Examination (Group-IV) 2015-2018, Advertised in Notification No.23/2017 dated 14.11.2017, inadvertently entered at the time of making the on-line application of the petitioner, and to permit the petitioner for Counselling for post allotment, in the said Group-IV Examination 2015-2018, on considering the Scheduled Tribe Communal Rank Position 70 of the petitioner, to be Selected and Appointed on merit.

2. The petitioner participated in the process of selection for appointment to the Group IV services for the year 2015-18. The grievance of the writ petitioner is that she had mistakenly entered her date of birth as



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24.04.1992 instead of 24.8.1992. On account of the mistake in the On-line Application, the candidature of the writ petitioner was rejected. Thus, the petitioner is constrained to move the present writ petition.

3. The learned counsel appearing on behalf of the respondent made a submission that the petitioner had not availed the opportunity provided, by the Service Commission for correcting the mistakes in the application. At the time of scrutinization, the authorities found that the petitioner has entered a wrong date of birth and therefore, it was rejected during the relevant point of time.

4. The learned counsel appearing on behalf of the respondent Tamil Nadu Public Service Commission made a submission that lakhs and lakhs of candidates are participating in the process of selection for appointment to Group IV services. Therefore, the Rules regarding the recruitment is to be scrupulously followed. In the event of granting any leniency or otherwise, then it will affect the prospects of hundreds of candidates and more so, the similarly placed candidates who have committed such mistakes would also claim the same benefits and in such circumstance, the Tamil Nadu Public Service Commission would not be in a position to



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finalize the selection and therefore, the case of the writ petitioner deserves to be rejected.

5. The learned counsel for the respondent made a submission that in the event of selecting the petitioner, despite the fact that he has not corrected the mistake by availing the opportunity provided by Tamil Nadu Public Service Commission, thousands of candidates who have committed such mistakes would also come forward for inclusion of their names in the selection list and in such event, the entire selection process will be paralyzed and thus, the claim in this regard cannot be entertained.

6. This Court is of the considered opinion that the mistake seems to be negligible. However, the impact of considering such mistakes positively by the High Court would result in an anomalous situation. Regarding Group IV services, lakhs and lakhs of candidates are participating. Instructions and brochures are issued to the candidates. Candidates are expected to fill up the form with correct material facts and details. For correcting the mistakes, if any occurred, two opportunities were provided to the candidates and therefore, they had an opportunity to recheck the application and effect necessary correction in the On-line



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Application by availing the opportunities provided by the Tamil Nadu

Public Service Commission twice. In spite of that if any candidate has not

corrected the mistake, then he is not entitled for selection and their application is liable to be rejected. The Rules regarding the process of selection are to be followed scrupulously. The Courts have repeatedly held that the mistakes in the application if any found is a ground to reject the candidature itself. That being the procedure and the legal proposition settled, the petitioner in the present case, corrected the date of birth after a lapse of about eight months from the last date provided for such correction by the Tamil Nadu Public Service Commission. The issue with reference to the very same selection process was considered by this Court in W.P.No.33674 of 2018 and an order was passed on 23.08.2022. The relevant paragraph 9 & 10 are extracted hereunder:

*9.Insofar as the change of date of birth or there is a difference of claim in the date of birth of the petitioner is concerned, since it is a serious issue if the mistake had occurred due to inadvertence or typographical error that could have been very well rectified by the petitioner for which a second chance was given up to 10.01.2018 and this facility would not be given to the candidates in any other recruitment except for Group-IV examination, and when the number of candidates will be in several lakhs,*



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*this kind of mistake would be possible to occur and therefore, in order to rectify a second chance is given to the candidates. The said second chance since has not been utilized properly by the petitioner and no such claim has been made that on or before 10.01.2018, she has made the changes, the petitioner is not entitled to be included in the list of candidates called for original certificate verification published on 26.11.2018 for the Group IV examination.*

*10.Hence, this writ petition fails and it is accordingly dismissed. No Costs. Consequently, connected miscellaneous petition is also dismissed.*

7. In view of the fact that the petitioner committed a mistake in the application and his candidature was rejected, this Court do not find any infirmity in respect of the order of rejection. Accordingly, this writ petition stands **dismissed**. No Costs. Consequently, connected miscellaneous petitions are closed.

**14.11.2022**

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Internet : Yes  
Index : Yes  
Speaking order



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**S.M.SUBRAMANIAM, J.**

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To,

1. The Secretary,  
Tamilnadu Public Service Commission,  
TNPSC Road,  
Park Town, Chennai - 600 003.

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**and**

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