



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Civil Appellate Jurisdiction

Friday, the Ninth day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

SUB A(MD) . No.128 of 2022
in
Cont.P(MD)No.413 of 2022

P.Mahalakshmi

... Petitioner/Petitioner

Vs

P.Uma Maheswari, I.A.S.,
The Member Secretary,
Tamilnadu Public Service Commission,
TNPSC Road,
V.O.C. Nagar, Park Town,
Chennai.

... Respondent/Respondent

Prayer SUB A(MD) . No.128 of 2022:- Petition filed under Section 151 of CPC to re-open the contempt petition in Cont.P.(MD).No.413 of 2022 which was closed by order dated 11-03-2022 and thus render justice.

Prayer Cont.P(MD)No.413 of 2022:- Contempt Petition filed under Section 11 of the Contempt of Courts Act, 1971, to punish the contemnors/respondents under the contempt of Courts Act for wilful disobedience of order of this Court passed in W.P.(MD)No.14903 of 2020 dated 07/07/2021.

Prayer WP(MD)No.14903 of 2020:- Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to appoint the petitioner as Steno-Typist Gr-III, in pursuant to the Provisional Admitted candidates for Certificate Verification in the Written Examination held as per the Combined Civil Services Examination-IV (Group-IV) for the years 2018-2019 and 2019-2020 by permitting the petitioner for certificate verification and counseling within the time fixed by this Honourable Court.

ORDER:- This Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/s. H. Arumugam, Advocate for the Petitioner and of Mr. V. Panneerselvam, , Standing counsel for the respondent, this Court made the following order:



"Earlier, the petitioner filed a writ petition along with some other persons, stating that she submitted an online application to the Tamil Nadu Public Service Commission, pursuant to the recruitment notification No.19 of 2019, dated 14.06.2019, for Group IV service. The petitioner had taken part in the written examination. After publication of the results, based on the claims made in the respective online application, the petitioner was called upon to upload the documents. The petitioner claimed reservation under the persons studied under Tamil Medium category. However, she had not uploaded the PSTM certificate. Hence, the candidature of the petitioner was rejected for not uploading the PSTM certificate. This Court by its order, dated 07.07.2021, allowed the writ petition and issued a direction to include the name of the petitioner including other persons.

2. Against the order passed by this Court, the Tamil Nadu Public Service Commission preferred writ appeals before this Court in W.A(MD)Nos.1832 to 1847 of 2021 and this Court granted interim order that any appointment made by the appellant is subject to the result of the writ appeals. Accordingly, earlier the contempt petition was closed. Again, the present sub-application was filed to restore the contempt petition filed by the petitioner.

3. Considering the facts and circumstances of the case and already, the Division Bench is seized of the matter and granted interim order, reopening of the contempt petition is not sustainable one as there is no wilful disobedience.

4. Accordingly, this sub-application stands closed as there is no need for reopening of contempt petition, which was already closed on the ground that the matter is seized of by the Division Bench."

Sd/-

Assistant Registrar (CS I)

// True Copy //

/12/2022

Sub Assistant Registrar(CS)

TO

The Member Secretary,
Tamilnadu Public Service Commission,
TNPSC Road, V.O.C. Nagar,
Park Town, Chennai.

<https://www.mhc.tn.gov.in/judis>



SUB A(MD)



'22

Copy to:

The Section Officer,
Contempt Section,
Madurai Bench of Madras High Court, Madurai

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+1 CC to M/s.H.ARUMUGAM, Advocate (SR-61460[F] dated 12/12/2022)

ORDER DATED : 09/12/2022

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ORDER

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ED(20.12.2022) 3P 4C