



W.P.No.12857 of 2021

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2023

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THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.12857 of 2021

and

W.M.P.No.13656 of 2021

K.Sri Devi

.. Petitioner

Vs.

1.The Chairman,

The Tamil Nadu Public Service Commission,
TNPSC Road, V.O.C. Nagar,
Park Town, Chennai – 600 003.

2.The Controller of Examinations,

The Tamil Nadu Public Service Commission,
TNPSC Road, V.O.C. Nagar,
Park Town, Chennai – 600 003.

... Respondents

Prayer: Writ petition filed under Article 226 of Constitution of India praying to issue a Writ of Mandamus, directing the respondents to issue appointment order to the petitioner as the petitioner has qualified the written examination and interview vide notification of the respondents dated 14.06.2019 and consequently to appoint her as Group IV employee in the post of Steno Typist Grade III.



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For Petitioner : Mr.M.Muruganantham

For Respondents : Mrs.G.Hema
Standing counsel for TNPSC

ORDER

This writ petition has been filed seeking a direction to the respondents to issue appointment order to the petitioner as the petitioner was qualified in the written examination and interview vide notification of the respondents dated 14.06.2019 and for a consequential direction to appoint her as Group IV employee in the post of Steno Typist Grade III.

2. The petitioner has successfully appeared and cleared the examination and was called for interview by the respondents for the post of Steno Typist Grade III vide Notification No.19 of 2019 dated 14.06.2019 for Group IV service. However, he has not been issued any appointment order so far. Hence, the petitioner has filed this writ petition with the above prayer.



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3. The respondents filed counter by stating that the petitioner in her on-line application claimed that she possessed SSLC and 2 years ITI Course (which is HSC or equivalent to). Based on her claims made in her application, she was admitted to counselling. At the time of original certificate verification on 03.12.2020, it has been found that the candidate had studied Stenography in English for a period of one year, i.e., from August 2001 to July 2002 and she studied from Government Industrial Training Institute (Women), Cuddalore, which she claimed in her on-line application as Higher secondary course or its equivalent. The Principal of Government, I.T.I. had earlier clarified as follows:

“Stenography English under National Trade Certificate Examination is conducted by Directorate General of Employment and Training, New Delhi and certificate also issued.

For stenography Tamil admission done by out DET and examination is conducted by Directorate of Technical Education (Government of Tamil Nadu), Guindy, Chennai. So, they may not be treated as ITI 2 year continuous course. It is the option of



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individual to continue after completing Steno (English) and Steno (Tamil) vice versa”.

4. Based on the clarification issued by the Principal of Government ITI (Women), Cuddalore, the candidate does not possess 2 years course in higher secondary course. If the qualification of the candidate is considered as SSLC, the candidate will be ineligible for the post of Steno Typist Grade III including Group-IV Services for the year 2018-2019 and 2019-2020. Since the candidate belongs to SC category and the age limit for SC candidates who possess minimum general educational qualification is 35 years of age, as per para 5(A)(2) of the Commission's Notification No.9/2019 dated 14.10.2019 the petitioner should be considered as over aged.

5. The candidate at the time of original certificate verification has declared herself that she has studied Stenography in English from Government ITI for a period of one year from August 2001 to July 2002. Further she stated that she has not completed her higher secondary course and



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also declared that she will abide by the decision taken by the Commission regarding her educational qualification. The petitioner cannot invoke the extraordinary jurisdiction of this Court under Article 226 of the Constitution of India and seek for a direction to the Service Commission to accept her application. Hence, the petition should be dismissed.

6. Heard the learned counsel for petitioner and the learned counsel appearing for respondents.

7. The Notification itself would state that no maximum age limit for candidates belonging to SC, SC(A), ST, MBC/DC, BC, BCM and Destitute Widows of all castes and they should have higher qualification of higher secondary course. Since the petitioner belongs to SC category, she cannot be disqualified on the basis of her age. Insofar as the educational qualification is concerned, the petitioner has got required the technical qualification. The educational qualification has been restricted to SSLC



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Public examination and the eligibility for admission in higher secondary course. It is the contention of the respondents that the petitioner has not finished 12th standard. If the petitioner finished 10th standard it is to be considered that the petitioner has got the eligibility criteria with regard to educational qualification also. The respondent has wrongly presumed that the petitioner should have got 12th pass qualification.

8. Hence, the Writ Petition is allowed and the respondents are directed to issue appointment order to the petitioner as Group IV employee in the post of Steno Typist Grade III. No costs. Consequently, connected miscellaneous petition is closed.

06.10.2023

Index : Yes / No

Speaking / Non-speaking order

Neutral Citation : Yes / No

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R.N.MANJULA, J.

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