



W.P.No.16300 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.16300 of 2020
and W.M.P.No.20396 of 2020

A.Thenmozhi

... Petitioner

Vs.

1.The Chairman,

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

2.The Secretary,

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

3.The Controller of Examinations,

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

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to include petitioner Register No.0601005094 in original certificate verification and counseling list dated 06.03.2020 by revising the list and consequently direct the respondents to accept the petitioner SSLC PSTM Certificate and allow



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petitioner to participate in the original certificate verification and counseling.

For Petitioner : Mr.Kanimozhi Mathi

For Respondents : M/s.G.Hema,
Standing Counsel

ORDER

The relief sought by the petitioner in this writ petition is to direct the respondents to include petitioner Register No.0601005094 in original certificate verification and counseling list dated 06.03.2020 by revising the list and consequently direct the respondents to accept the petitioner SSLC PSTM Certificate and allow petitioner to participate in the original certificate verification and counseling.

2. The case of the petitioner is that the petitioner viz., A.Thenmozhi has applied for the post of Steno-Typist Grade III called for by Tamil Nadu Public Service Commission through notification dated 14.06.2019. In the written examination, the petitioner has secured overall rank of 47 and communal rank of 36 for the aforesaid post. Thereafter, the petitioner was provisionally selected for certificate verification and directed to upload the same in the website. However, the petitioner was not called for original



certificate verification. Hence, she made a representation dated 11.03.2020 to the respondents to consider and revise the list and permit her to attend the certificate verification and counseling. For the same, the respondents replied that the petitioner has not uploaded SSLC PSTM certificate, instead she uploaded the HSC PSTM certificate and for the said reason, she has not been called for the original certificate verification. Hence, the petitioner has come forward with the present writ petition.

3. When the matter was taken up for hearing, learned counsel for the petitioner submitted that the petitioner has given both the HSC PSTM certificate and SSLC PSTM certificate along with other certificates to the officials at the designated e-seva center, while uploading the documents, the said official wrongly uploaded the certificate. Hence, it was the mistake committed by the official at the e-seva center and not the petitioner. Moreover, the petitioner has secured overall rank of 47 and communal rank of 36 and she is eligible for the aforesaid post. Hence, he prayed for allowing this writ petition.



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4. Learned standing counsel appearing for the respondents submitted a list of six candidates, who came within the zone of consideration (Table – III) and stated that the petitioner is one among them and she may be allotted to the Department, if she is found to be otherwise eligible, in the future vacancy. She has also placed a copy of the order of the Hon'ble Apex Court in SLP(C).No.4357 of 2020 dated 01.05.2023. The relevant directions are extracted as herein under for appropriate adjudication of the present writ petition:

"3.Pursuant thereto, the petitioner - Tamil Nadu Public Service Commission, has taken a decision resolving to select and recommend the names of 62 candidates mentioned in Table I of the additional affidavit dated 28.04.2023 appended with Interlocutory Application No.89727/2023, for appointment to the posts mentioned in the Table itself. As regard to 10 candidates in the Table II, it is stated that even after treating them eligible, they do not come into the zone of consideration. As regard to 6 candidates mentioned in Table III, it is stated that they will be adjusted against future vacancies as no posts were reserved for them during the pendency of the case(s). The appointment of these 6 candidates will be subject to other eligibility conditions.

4. The Special Leave Petitions are, accordingly, disposed of in terms of the additional affidavit dated 29.04.2023 filed by the petitioner - Tamil Nadu Public Service Commission,



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along with Tables I, II and III. The Public Service Commission shall be at liberty to act upon as per its decision referred to above, as early as possible and preferably within two months from the date of receipt of a copy of this Order."

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the facts and circumstances and as per the directions issued by the Hon'ble Apex Court on 01.05.2023 in SLP(C).No.4357 of 2020, the respondents are directed to accommodate the petitioner in the future vacancy, if she is found to be otherwise eligible.

7. This writ petition stands closed with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
Speaking Order : Yes/No

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To:

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Park Town, Chennai – 600 003.
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J.SATHYA NARAYANA PRASAD, J.

This matter is listed today under the caption 'for being mentioned' at the instance of the learned counsel for the petitioner.

2. It is brought to the notice of this Court that some typographical errors have been crept in the order dated 24.07.2023 at paragraph No.6.

Accordingly, the following corrections shall be incorporated in the order.

“6. Considering the facts and circumstances of the case and as per the directions issued by the Hon'ble Apex Court on 01.05.2023 in SPL (C).No.4357 of 2020, the respondents are directed to accommodate the petitioner in the future vacancy, if she is found to be otherwise eligible. Since, the petitioner



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has already been selected, she may be given priority when the selection takes place in regard to the post of Steno-Typist.”

Thereby, she would request that the said portion of the order may be corrected and copy may be issued accordingly.

3. Registry is directed to carry out the necessary corrections in the order and issue corrected order copy.

17.08.2023

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J.SATHYA NARAYANA PRASAD, J.

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