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W.P.No.11384 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.11384 of 2024
and W.M.P.Nos.12475 and 12479 of 2024

M.Vennila

.. Petitioner

Versus

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

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

.. Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus by calling for the records of the respondents in the impugned Memorandum No.656/APD-B-Gr-II/2022, dated 10.04.2024, and quash the same and direct the respondents to consider the petitioner's candidature under MBC(G) of MBC(W) as per the marks secured by her and to include her Register Number 3305048201, in the list of candidates published for original certificate verification and counselling which is slated to commence shortly.

For Petitioner : Mr.V.Rajesh Babu

For Respondents : Mr.R.Bharanidharan,
Standing Counsel



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ORDER

This Writ Petition is filed to quash the impugned memorandum, dated 10.04.2024 and for a direction to the respondents to consider the petitioner's candidature under M.B.C (General) or M.B.C (Women) as per the marks secured by her and to include her register No.3305048201 in the list of candidates published for original certificate verification and counselling which is stated to commence shortly.

2. The grievance of the petitioner is that she applied for the combined Civil Services Examination - II (Group - II Services/Group - IIA Services) under Notification No.3/2022, dated 23.02.2022. The petitioner belongs to the Most Backward Class community. She was also a Destitute Widow. Therefore, she had applied under the said category of reservation as also claiming preference. However, the petitioner could not get the certificate declaring herself to be a Destitute Widow and upload the same even after an opportunity granted by the respondent Commission. According to the learned Counsel for the petitioner, even though the respondents may be justified in not considering the petitioner under the Destitute Widow category, still, when the petitioner belongs to the Most Backward Class and



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has uploaded the Community Certificate under the M.B.C category, the respondents atleast ought to have considered her in that category.

3. In that view of the matter, when the case came up for admission, the matter was passed over and *Mr.R.Bharanidharan*, learned Standing Counsel for the respondent Commission, upon instructions, would submit that the petitioner did not upload the certificate as far as the Destitute Widow is concerned. Therefore, she was not considered under the said quota. However, she was considered by them under the M.B.C (Women) category and also the M.B.C (General) category and she did not come within the zone of consideration.

4. In that view of the matter, since the petitioner has also been considered under the M.B.C (Women) category as well as the M.B.C (General) category, this Writ Petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

24.04.2024

Index : yes
Speaking order
Neutral Citation : no
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To

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D.BHARATHA CHAKRAVARTHY, J.

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