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W.P.Nos.11997 and 12024 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2024

CORAM :

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.Nos.11997 and 12024 of 2024
and W.M.P.Nos.13138 and 13119 of 2024

V.Radha .. Petitioner
(in W.P.No.11997 of 2024)

G.Selvakumar .. Petitioner
(in W.P.No.12024 of 2024)

Versus

1. The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, Chennai.

2. The Deputy Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road,
Chennai.

.. Respondents
(in both the cases)

Prayer in W.P.No.11997 of 2024 : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus to direct the respondents to process the petitioner's application No.2404056674 as per the petitioner's original date of birth 20.11.1985.



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Prayer in W.P.No.12024 of 2024 : Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Mandamus to direct the respondents to process the petitioner's application No.2404028844 as per the petitioner's original date of birth 25.09.1985.

For Petitioner : Mr.S.Kolandasamy
(in both the cases)

For Respondents : Mr.R.Bharanidharan
(in both the cases) Standing Counsel

COMMON ORDER

In both these Writ Petitions, the petitioners are seeking a direction to the respondents to process their applications made under notification No.4/2024, dated 28.03.2024, in and by which, the petitioner has applied for the Combined Civil Services Examination - I (Group - I Services). Since the cases of the petitioners are identical, they are disposed of by this common order.

2. If the date of birth which is mentioned in 10th and 12th standard certificates of the petitioners are taken into account, then, they are over-aged. However, it is the pleading of the petitioners that they have got proof otherwise in the form of birth certificate etc., to prove that they were born at



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a later date and therefore, they want the respondent Commission to consider the said date and permit them to take part in the selection.

3. *Mr.S.Kolandasamy*, the learned Counsel for the petitioners would submit that when initially, due to illiteracy and their social background, the parents of the petitioners have not given the exact date of birth in the school certificate, the petitioners can rely upon an authentic certificate and prove their age and therefore, they must be permitted to take part in the examination.

4. *Per contra*, *Mr.R.Bharanidharan*, learned Standing Counsel for the respondent Commission, would place reliance upon the notification and would submit that as per Clause - 4.1.2.1, the date of birth will be verified only against the 10th or 12th standard mark-sheet issued by the Tamil Nadu Board of Secondary Education and Tamil Board of Higher Secondary Education. It is also further stated in Clause - 4.1.2.2 that any other form of evidence will not be accepted.



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5. In a large scale recruitment as that of the present, the Service Commission can go only as per the 10th / 12th standard mark-sheet. If the claim of the petitioners is to be allowed, then, any and every candidate can declare himself that he has got another date of birth and there is no wherewithal or expertise for the respondent Commission to conduct an enquiry into the date of birth of every candidate. Therefore, the rule that the date of birth will be taken into account as per the 10th / 12th standard cannot be found fault with. So long as the said rule is there, even if the date of birth of the petitioners is something different, then, the petitioners should have approached the Civil Court and on the strength of the decree, approach the authorities to correct their date of birth in the school certificates. In the absence of the same, the petitioners cannot be permitted to participate in the selection process, if they are over-aged as per the school certificate.

6. Accordingly, finding no merits, these Writ Petitions are dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

26.04.2024

Index : yes
Speaking order
Neutral Citation : no



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To

1. The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, Chennai.
2. The Deputy Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road,
Chennai.

D.BHARATHA CHAKRAVARTHY, J.

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