



W.P.(MD)No.11329 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2024

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THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.11329 of 2024

and

W.M.P.(MD)Nos.10076 and 10077 of 2024

Pavithra

... Petitioner

Vs.

1.The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, Park Town,
Chennai-600003.

2.The Chairman,
Tamil Nadu Public Service Commission,
TNPSC Road, Park Town,
Chennai-600 003.

3.The Controller of Examination,
Tamil Nadu Public Service Commission,
TNPSC Road, Park Town,
Chennai-600 003.

4.The Revenue Divisional Officer,
Srivilliputhur Taluk, Sivakasi Division,
Virudhunagar District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned notice of the third respondent made in Na.Ka.No.Nil dated 11.01.2024 and quash the same as illegal and consequently direct the third respondent to consider the candidature of the petitioner and include her in the second counselling of the Tamil Nadu Public Service Commission for the Group-IIA Posts dated Nil.

For Petitioner : Mr.S.Anandha Rajagopal
For R1 to R3 : Mr.V.Panneer Selvam
Standing Counsel
For R4 : Mr.C.Baskaran
Government Advocate

ORDER

This writ petition is filed to quash the notice of the third respondent made in Na.Ka.No.Nil, dated 11.01.2024 as illegal and consequently, to direct the third respondent to consider the candidature of the petitioner and include her name in the second counselling of the Tamil Nadu Public Service Commission for the Group-II-A Posts.



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2. Heard Mr.S.Anandha Rajagopal, learned counsel appearing for the petitioner, Mr.V.Pannerselvam, learned Standing Counsel for the first to third respondents and Mr.C.Baskaran, learned Government Advocate for the fourth respondent.

3.The petitioner is a destitute widow. He had participated in the selection process to the posts included in Combined Civil Services Examination-II (Interview Posts/Non-Interview Posts) (Group-II Services/Group-II A Services). During the application process for the said examination, though the petitioner indicated her status as a destitute widow, at the relevant point of time, she did not have such certificate. Hence, she did not upload it along with her application. But, she appeared in the examination and cleared the same. However, the petitioner failed to produce the destitute widow certificate. Even at the time of certificate verification, the candidature of the petitioner was not considered. Hence, the petitioner has filed this present writ petition.

4.The learned counsel for the petitioner submitted that the petitioner came under the zone of consideration and called for on-screen certificate verification. But, her candidature was not considered as she has not produced the destitute



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widow certificate in time and in the impugned remarks dated 11.01.2024, it is stated that after due process of on-screen certificate verification, he /she was not eligible to be considered for admission to main written examination. However, the learned counsel for the petitioner submitted that only if the petitioner appeared in the main written examination, the petitioner will be allowed for on-screen certificate verification and hence, the remarks dated 11.01.2024 is illegal and liable to be set aside.

5.The learned counsel for the petitioner further submitted that the petitioner had applied for destitute widow certificate before the revenue authorities some time in the year 2022, but she obtained the same only on 10.05.2024 and hence, she was not able to upload the same, at the time of on-screen certificate verification.

6.The learned Standing Counsel for the Tamil Nadu Public Service Commission submits that the petitioner's candidature was not considered only because the petitioner had not uploaded the destitute widow certificate, but also for other reason. However, no other reason is indicated. The first round of counselling was completed on 20.05.2024 and the second round of counselling is about to be commenced.



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7.The candidature of the petitioner was not considered only because of the non production of the destitute widow certificate in time, though the petitioner had come under the zone of consideration. Hence, the petitioner cannot be penalized for the delay caused by the revenue authorities in issuing destitute widow certificate.

8.In the result, this writ petition is disposed and the third respondent is directed to send a call letter to the petitioner to produce the destitute widow certificate along with other necessary certificates, within a period of one week from the date of receipt of a copy of this order and on such production, the petitioner shall be considered for appointing her on merits, if it is feasible in the second round of counselling. No costs. Consequently, connected miscellaneous petitions are closed.

02.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
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Note: Issue order copy on 03.07.2024

To

- 1.The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, Park Town,
Chennai-600003.
- 2.The Chairman,
Tamil Nadu Public Service Commission,
TNPSC Road, Park Town,
Chennai-600 003.
- 3.The Controller of Examination,
Tamil Nadu Public Service Commission,
TNPSC Road, Park Town,
Chennai-600 003.
- 4.The Revenue Divisional Officer,
Srivilliputhur Taluk, Sivakasi Division,
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R.N.MANJULA, J.

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