



W.A(MD)No.1647 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A(MD)No.1647 of 2024
and
C.M.P.(MD)No.12924 of 2024**

1.Tamil Nadu Public Service
Commission,
Represented by its Secretary,
Park Town,
Chennai-600 003.

2.The Under Secretary,
Tamil Nadu Public Service
Commission,
Park Town,
Chennai-600 003.

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

... Appellants / Respondents 1 to 3

-vs-

M.Malliga

... Respondent / Writ Petitioner

PRAYER: Appeal filed under Clause 15 of Letters Patent, to set aside the order dated 30.04.2024 in W.P.(MD)No.10935 of 2024.

For Appellants : Mr.V.Panneer Selvam

For Respondent : Mr.V.Sasikumar



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JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

The issue raised in the writ appeal is as to whether a delay in production of a destitute widow certificate would disentitle the respondent from being considered for appointment under that quota.

2. The respondent, though successful, was not offered an appointment because of the delay in production of the certificate to the effect that she is a destitute widow. The Writ Court took note of a decision of this Court in W.P.No.26236 of 2021 wherein a similar issue was considered with reference to such a technical stand that was taken by Tamil Nadu Uniformed Services Recruitment Board and it was held that delay in production of the certificate on its own cannot constitute a ground for denial of employment.

3. The learned counsel for the respondent brings to our notice the judgment of a Division Bench of this Court in ***the Secretary, The Tamil Nadu Public Service Commission .vs. T.Subageetha, rendered in W.A. (MD)No.194 of 2022***, wherein a similar issue was considered with reference to a selection process initiated by the Tamil Nadu Public Service Commission itself. The Division Bench concluded that mere delay in production of a community certificate or destitute widow certificate cannot be a ground to deny the appointment. Once the certificate is produced at



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the time of certificate verification, the authority can act upon it. It is also reported that the respondent has been successful, and she has also been given allotment subject to the result of the writ appeal.

4. Be that as it may, in view of the categorical pronouncement of the Division Bench in ***the Secretary, The Tamil Nadu Public Service Commission .vs. T.Subageetha***, we see no merit in the writ appeal. The writ appeal therefore fails and it is accordingly dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[R.S.M., J.]

[L.V.G., J.]

28.10.2024

NCC :Yes/No
Index :Yes/No
Internet: Yes
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