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W.P No.23794 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.07.2025

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THE HONOURABLE MR. JUSTICE C. KUMARAPPAN

Writ Petition No.23794 of 2025

S.Tamilselvi

... Petitioner

..Vs..

1.The Government of Tamil Nadu,
Rep. by its Principal Secretary to the Government,
Government of Tamil Nadu,
Fort St.George, Chennai – 600 009.

2.The Tamil Nadu Public Service Commission,
Represented by its Secretary,
TNPSC Road, Park Town,
Chennai – 600 003.

3.The Controller of Examination,
The Tamil Nadu Public Service Commission,
TNPSC Road, Park Town,
Chennai – 60 003.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus to call for the records relating to the impugned order in Memorandum No.1068/APD-A1/2024, dated 20.06.2025 passed by the second respondent, quash the same, and consequently direct the respondents to accept the main written examination fee from the petitioner and permit her to appear for the main written examination for the post of Assistant Public Prosecutor Grade II, pursuant to Notification No.13/2024 dated 13.09.2024 and Addendum No.13A/2024 dated 09.01.2025.



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For Petitioner : Mr.R.Vasudevan

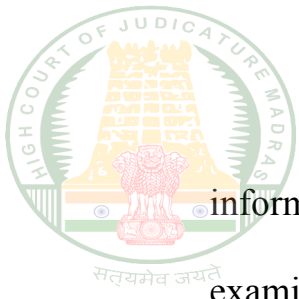
For Respondent : Mr.R.Sasikumar,
Government Advocate for R1

Mr.P.J.Rishikesh,
Standing Counsel for TNPSC for RR2 & 3

ORDER

The instant writ petition has been filed to quash the impugned order in Memorandum No.1068/APD-A1/2024, dated 20.06.2025 passed by the second respondent and permit the petitioner to appear for the main written examination for the post of Assistant Public Prosecutor Grade II, pursuant to Notification No.13/2024 dated 13.09.2024 and Addendum No.13A/2024 dated 09.01.2025.

2. It is the contention of the petitioner that despite Clause 8.2 of the Notification dated 13.09.2024, the respondents failed to inform her about her success in the preliminary examination. As a result, she was unaware of the requirement to pay the fee of Rs. 200/-. It is further submitted that for mere lapse on the part of the respondents that they are not communicating

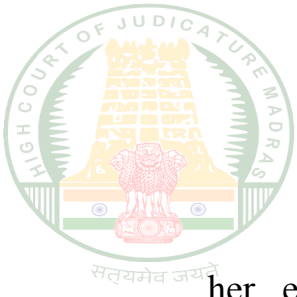


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information about the petitioner's eligibility to participate in the main examination, she should not be penalized for the non-payment of the fee of Rs.200/-. Therefore, she prays to interfere in the impugned order.

3. The said submission was strongly objected by the learned Standing Counsel and submitted that the petitioner was informed through various modes. Furthermore, it is the petitioner's personal responsibility to routinely check the Commission's website. Since the petitioner was negligent in following up the website and pursuing her academic interests, she cannot seek any sympathy from this Court. The learned Standing Counsel further submitted that, while exercising power of judicial review, this Court cannot grant any concession beyond the rules set forth in the notification, as established by the Hon'ble Supreme Court Judgment in the *State of Tamil Nadu and others vs. G.Hemalathaa* reported in (2020) 19 SCC 430.

4. I have given my anxious consideration to either side submissions and also perused the materials available on record.



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5. The primary contention is that the petitioner was not informed about her eligibility to participate in the main written examination. In this connection, the learned Standing Counsel submits that the petitioner was informed via e-mail on 06.05.2025 at her email ID. For ready reference, this Court deems it appropriate to extract paragraphs 6 and 7 of the counter statement.

“6. It is further humbly submitted that the candidates who are shortlisted for Main Written Examination for the post of Assistant Public prosecutor, Grade-II were instructed to pay the Main Written Examination a Fee of Rs.200/- (Rupees Two Hundred only) through their OTR from 26.04.2025 to 30.04.2025 in the Press Release No:45/2025 dated 24.04.2025 and 1st e-mail dated 25.04.2025. But few candidates have not paid the fee. Hence, a further extension of time was granted and informed through the 2nd 2-mail dated 06.05.2025 that the Main Written Examination fee has to be paid by them through their OTR from 07.05.2025 to 09.05.2025 upto 11.59 p.m, if fee exemption is not claimed failing which, their application will be rejected after due process without any further notice.

7. In this regard the Commission had given sufficient and reasonable opportunity to pay the Main Written Examination Fee by sending communication to the petitioner



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e-mail directly on 06.05.2025 to her e-mail as mentioned in the application namely 'ktptamilselvi@gmail.com', specifically calling upon the petitioner to remit the examination fee, besides informing the same through press release and information through official social media handles of the Commission. Despite the opportunity given personally to the petitioner twice, the petitioner had failed to pay the prescribed Main Written Examination fee, while others have paid.”

6. While examining the above counter statement, it is apparent that the respondent issued a press release regarding the publication of the results, with the first email sent on 25.04.2025. Additionally, an extension of time was granted to the candidates, and a second email was sent to the petitioner on 06.05.2025. However, the learned counsel for the petitioner contends that the email ID was wrongly mentioned, and therefore, the petitioner did not receive the said email. At this juncture, the learned Standing Counsel submits that the email was sent to the correct email address as provided by the petitioner, and therefore, no fault can be attributed to the Commission. Though the learned counsel for the petitioner submits that she did not receive any such email, when the Commission has made a specific statement confirming that the email



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was sent to the petitioner, this Court is bound to accept that statement unless the respondents' claim is shown to be *mala fide*. Therefore, this Court does not find any merit in the present writ petition.

7. In the result, the writ petition is dismissed. No costs.

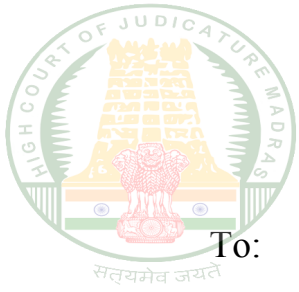
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Index : Yes

Speaking Order : Yes /No

Neutral Citation Case: Yes/No



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C. KUMARAPPAN, J.



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