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W.P No.27896 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.27896 of 2025

and

Writ Miscellaneous Petition Nos.31257 & 31259 of 2025

Mahalakshmi

... Petitioner

..Vs..

1.The Tamil Nadu Public Service Commission,
Rep. by its The Secretary,
Frazer Bridge Road, V.O.C.Nagar,
Park Town, Chennai.

2.The Controller of Examination,
Tamil Nadu Public Service Commission,
Frazer Bridge Road, V.O.C.Nagar,
Park Town, Chennai.

... 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 of order dated 18.07.2025 on the file of the 2nd respondent and quash the same, consequently direct the 2nd respondent to issue a hall ticket to the petitioner and permit the petitioner to writ the main written examination scheduled on 26.07.2025 to 30.07.2025.

For Petitioner : Mr.K.Myilsamy

For Respondent : Mr.P.J.Rishikesh,
Standing Counsel for TNPSC

ORDER



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The instant writ petition has been filed against the rejection order passed by the respondent on 18.07.2025 on the following grounds:

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“You have not paid the Main Written Examination Fee as per para 3.9.2 of the Notification No.13/2024 dated 13.09.2024. Hence you are not eligible to be considered for the Main Written Examination. தாங்கள் அறிவிக்கை எண் 13/2024, நாள் 13.09.2024 பத்தி 3.9.2-ல் குறிப்பிட்டுள்ளபடி முதன்மை எழுத்தத் தேர்விற்கான விண்ணப்ப கட்டணம் செலுத்தவில்லை. எனவே தாங்கள் முதன்மை எழுத்துத் தேர்வுக்கு தகுதியுடையவராகக் கருதப்படவில்லை. “

2. It is the submission of the petitioner that in Clause 3.9.7 whenever payment was not paid, the application will be rejected after due process. For ready reference Clause 3.9.7 is extracted:

“3.9.7. Failure to pay the prescribed fee in time, along with the online application, will result in the rejection of the application after due process. ”

2.1 It is the contention of the petitioner that pursuant to an e-mail dated 10.06.2025, she was directed to upload certain documents. Based on this communication, she believed that the requisite fees had already been paid. It is the further contention that the petitioner has entrusted in uploading the application and making the payment of fees to the Internet center operator, who failed to make the necessary payment. Therefore, the petitioner contends



that, for the minor nature of this defect, she should not be disqualified from appearing in the examination.

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3. At this juncture, the learned standing Counsel vehemently submit that the petitioner is seeking appointment to the post of Additional Public Prosecutor, which is more responsible post. Therefore, a candidate who fails to ensure proper payment of the examination fee demonstrates a lack of diligence, thereby rendering themselves ineligible to participate in the selection process. Apart from that, the learned Standing Counsel relies upon the Judgment of the Hon'ble Supreme Court in *the State of Tamil Nadu, represented by its Secretary and Others vs. G.Hemalathaa* reported in 2020 (19) SCC 430, to argue that the Court, while exercising its power of judicial review, cannot grant any concession beyond what is expressly provided for in the terms of the notification.

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

5. The short point to be considered in the present writ petition is whether a time limit for payment of the examination fee can be extended.



W.P No.27896 of 2025

WEB COPY

6. The Hon'ble Supreme Court in the case of ***G.Hemalathaa's*** cited supra, has categorically held that a writ court, while exercising its power of judicial review, cannot grant any concession beyond what is prescribed by the rules. In the case on hand, the recruiting agency had already fixed a specific date for payment. Any interference at this stage would amount to granting an impermissible concession, which cannot be done by this Court. Furthermore, in a similar set of facts, this Court in W.P.No.23640 of 2025 vide order dated 01.07.2025 has rejected the petitioner's claim and the relevant portions found in the said order is paragraphs 2 to 5. Therefore, the issue is no longer *res integra* and hence, this Court finds no merit in the present writ petition.

7. In the result, the writ petition is dismissed. No costs. Consequently, the connected miscellaneous petitions are stand closed.

25.07.2025

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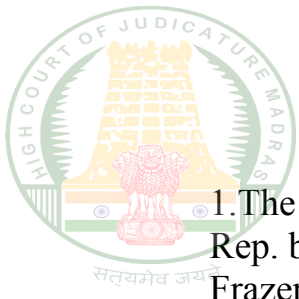
Index : Yes

Speaking Order : Yes /No

Neutral Citation Case: Yes/No

To:

4/6



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C. KUMARAPPAN, J.

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WEB COPY



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