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W.P.No.143 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.143 of 2024 and
W.M.P.No.155 of 2024

G.Janani

...Petitioner

-Vs-

The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, VOC Nagar, Park Town,
Chennai-600 003.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondent to consider the candidature of the petitioner in the physical Certificate Verification cum Counselling to be held from 03.01.2024 as per the Notification dated 22.12.2023 in the Group-IV TNPSC examination, for the post of typist under Destitute Widow Category.



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For Petitioner : Mr.S.Suresh
For Respondent : Mr.R.D.Baranidharan,
Standing counsel

ORDER

This Writ Petition has been filed for direction to the respondent to consider the candidature of the petitioner in the physical Certificate Verification cum Counselling to be held from 03.01.2024 as per the notification dated 22.12.2023 in the Group-IV Examination.

2. Heard, the learned counsel appearing on either side.

3. The petitioner is a destitute widow. In order to avail the quota, as per the G.O.Ms.No.395 dated 04.11.1993, the petitioner applied for issuance of destitute widow certificate on 13.04.2022 before the Revenue Divisional Officer, Arani. However, the said request was rejected by an order dated 19.10.2022 by Revenue Divisional Officer. The petitioner had appeared for Group-IV examination for the post of typist conducted by respondent on 24.07.2022 under the destitute widow category. The



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petitioner was provisionally admitted for the post of typist under the destitute widow quota. The respondent had instructed to admit the candidates provisionally to upload the scanned copies of documents in support of the claims made in their online applications on or before 05.05.2023 for verification. Since the Revenue Divisional Officer rejected the claim of the petitioner, the petitioner was constrained to challenge the order passed by the Revenue Divisional Officer in W.P.No.11877 of 2023 before this Court. This Court by order dated 19.04.2023 set aside the order passed by the Revenue Divisional officer and directed to issue destitute widow certificate within a period of one week. The destitute widow certificate was issued by stating that her income is Rs.5000/- per month.

3.1. Therefore, the petitioner approached the Revenue Divisional Officer, Arani to rectify the mistake committed by her in mentioning her monthly income as Rs.5,000/-. As far as her income is concerned, there was delay in rectifying the income of Rs.5000/- to Rs.1500/-. However, the respondent closed the uploading facility by 07.06.2023 itself. Therefore, though she obtained rectification certificate, she could not able to upload the destitute widow certificate on time.



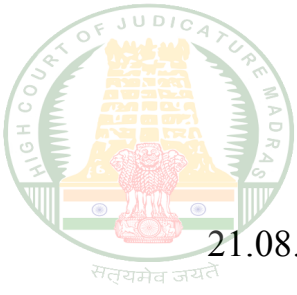
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4. On instructions, the respondent submitted that after the last date of correction Window Period, no modification shall be made in the online applications. The applications shall be processed as per the details finally furnished by the candidates. It is the responsibility of the candidates and the commission has no liability for subsequent rejection of application consequent to the editing details already submitted in the online application. Request / representation received for modification of claims in the online application, in any mode, shall not be entertained.

5. In fact, the petitioner had furnished the community certificate substantiating her claim in the online application as MBC wherein it has been mentioned as her husband's name instead of her father's name. Therefore, she was given further time to furnish those documents among other candidates to furnish the same within the period from 05.06.2023 to 07.06.2023. But, instead of furnishing the documents, she had submitted a representation seeking further time to furnish the same. Since the date of Physical Certificate Verification and counseling was already fixed on

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21.08.2023 and fully eligible candidates were available on the date of

Physical Certificate Verification and Counseling, the selection process was taken up and completed on 21.08.2023 itself. Further, the first phase of counseling for the post of typist was conducted from 21.08.2023 to 11.09.2023. Out of notified 3371 vacancies, 159 vacancies had been earmarked for the category of destitute widow. Destitute widow vacancies in the first phase at counseling has been furnished by the respondent. Therefore, no question of 2nd phase of counseling to fill up vacancy under the category of destitute widow. On 03.01.2024, the II phase of counseling was conducted for the remaining unfilled three vacancies for the category of SC(G) Blind-1, BCM(G) Deaf-2 only. Those vacancies were also filled on 03.01.2024 itself. Therefore, no vacancy in the destitute widow category. Hence, the request made by the petitioner cannot be considered.

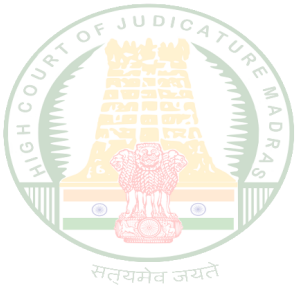


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6. Hence, this writ petition is devoid of merits and liable to be dismissed. Accordingly, this Writ Petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

05.01.2024

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Internet: Yes/No
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To

The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, VOC Nagar, Park Town,
Chennai-600 003.

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G.K.ILANTHIRAIYAN,J.
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