

(2013) 05 KL CK 0027**High Court Of Kerala****Case No:** Writ Petition (C) No. 12593 of 2013

Radhakrishnan

APPELLANT

Vs

Kerala Public Service
Commission

RESPONDENT

Date of Decision: May 21, 2013**Citation:** (2013) 2 KLT 867**Hon'ble Judges:** Thomas P. Joseph, J**Bench:** Single Bench**Advocate:** U. Balagangadharan, for the Appellant; P.C. Sasidharan and K.S. Anil, for the Respondent**Final Decision:** Dismissed**Judgement**

Thomas P. Joseph, J.

Petitioner appeared for the post of Mazdoor in the Kerala State Electricity Board but was not included in the shortlist as he failed to print the date of application on the photograph uploaded while submitting the online application. Petitioner therefore filed an application under R. 15A of the Kerala Public Service Commission Procedure Rules (for short, "the Rules") to incorporate the date. That application is not considered by the first respondent. Hence this Writ Petition for a direction to set aside Ext. P2 and direct the first respondent consider the applications stated to be preferred under R. 15A of the Rules as aforesaid. The learned counsel submits that the petitioner is computer-illiterate, the mistake is only accidental and is liable to be corrected in view of the power conferred under R.15A of the Rules.

2. The learned Standing Counsel for the first respondent has submitted that R.15A of the Rules has no application since that provision only confers power on the first respondent to correct mistakes in the rank list etc. It is also submitted that the mistake in this case is fatal as held in [Sasikala Vs. Kerala Public Service Commission,](#)

3. Rule 15A of the Rules as I understand, only confers power on the authority referred therein to correct clerical, typographical, arithmetical or other mistake in the ranked lists, advice lists or shortlists etc., or errors arising therein from any accidental slip or omission. Though the learned counsel for the petitioner has stressed the expression "etc" following the specific words employed in R. 15A to contend that it takes in an application preferred by an applicant to the post, I can only understand the expression "etc" as meaning documents similar to the expressed ones. That cannot extend to an application preferred by a party. In [Binu Kumar Vs. Public Service Commission](#), it is held that R.15 A only enables to correct the mistakes committed by the Public Service Commission and does not apply to cases where applicants omit to claim weightage. Therefore resort to R. 15A of the Rules is not permissible. Turning to the application preferred by the petitioner, it is not disputed that there was failure to print the date of application on the photograph affixed on it. In *Sasikala T.V. v. Kerala Public Service Commission & Anr.* (supra), the Division Bench held that such mistakes are fatal as the stipulation is made to prevent impersonation and ensure fairness in the conduct of the examination. Hence the application of petitioner is defective and could not be reckoned. I do not find merit in this Writ Petition.

The Writ Petition is dismissed.