

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.10.2015

CORAM:

The Honourable Mr. SANJAY KISHAN KAUL, Chief Justice
and
The Honourable Mr. Justice T.S.SIVAGNANAM

Writ Petition Nos. 26090 to 26092 of 2015
and M.P. Nos. 1, 1 and 2 of 2015

H. Sathish Kumar .. Petitioner in WP.No.26090/2015
K. Vigneshwaran .. Petitioner in WP.No.26091/2015
K. Suresh .. Petitioner in WP.No.26092/2015

vs.

1. The Chairman/Director General of Police
Tamilnadu Uniformed Services
Recruitment Board, Anna Salai
Chennai-2.
2. The Member Secretary
Tamilnadu Uniformed
Services Recruitment Board,
Anna Salai, Chennai-2. .. Respondents in all petitions.

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India praying to issue Writs of Certiorarified Mandamus, to call for the records relating to the declaration of results in the website by the 2nd respondent pertaining to the petitioners' Registration Nos.556115, 565397 and 735874 and quash the same and direct the respondents to consider the claim of the petitioners for appointment as Sub Inspector of Police for the batch 2015-2016 as per the Notification in Adv. No.1/2015 dated 8.2.2015 issued by the 2nd respondent under the Sports Quota (Scheduled Caste) (General) and (Backward Caste) (General) forthwith and to extend all other benefits arising thereto.

For Petitioners : Mr. R. Kamaraj
For Respondents : Mr. P.H. Aravind Pandian
Addl. Advocate General
assisted by Mr. S.T.S. Murthi,
Government Pleader and
Mr. V. Shanmugasundar
Government Advocate.

COMMON ORDER

(Made by The Hon'ble The Chief Justice)

The petitioners are persons in service, but not being eligible as yet on account of lack of completion of service to compete as in-house candidates, applied under the General Category, seeking benefit under the Sports Quota. The benefit of the Sports Quota has however been denied to the petitioners and they assail that result.

2. Two of the petitioners claim to have participated in cross country racing, while one has run half marathon. The brochure itself lists out the Games and Sports for which candidates can be considered under the Sports Quota. Clause 7 provides for eligibility for applying under 10% Sports Quota under Form-I is applicable to International Competition, Form-II to National Level Competition and Form-III for representing the University and National University Competition. The list of approved Games and Sports specified in Clause 7(iii) reads as under:

"1. Basket Ball, 2. Football, 3. Hockey, 4. Volley Ball, 5. Hand Ball, 6. Kabbadi, 7. Wrestling, 8. Boxing, 9. Gymnastics, 10. Judo, 11. Weight Lifting, 12. Aquatics (Swimming), 13. Athletics, 14. Equitation (Horse riding)"

3. When a candidate applies under the Sports Quota, he/she is also required as per sub-clause (iv) of Clause 7 to participate in the Written Examination, Certificate Verification, Physical Measurement Test, Endurance Test and Physical Efficiency Tests and no special test in those sports is to be conducted as per sub clause (v).

4. The plea of the respondents is that the events in which the petitioners claim to have participated are not recognised events nationally or internationally and that is why, they have not been included in the list of approved Games and Sports as aforesaid.

5. On the other hand, learned counsel for the petitioners contends that since Certificates have been issued by the University, they should be taken into account.

6. In our view, the brochure is quite clear, while specifying as to which are the events for which the candidates can be treated as under the Sports Quota. The petitioners, undisputedly, have not got any Certificate for those events and no challenge has been laid to the brochure in the present

petitions and could not have been raised at this stage of time, since the petitioners never assailed the brochure earlier and even participated in the recruitment process.

7. We may also note that the writ petitions were filed on 20th August, 2015, much after the Physical Endurance Test was over and the stage of verification of certificate was also over.

8. We are, thus, not inclined to interfere under Article 226 of the Constitution of India. These writ petitions accordingly stand dismissed. No costs. Consequently, M.P. Nos. 1, 1 and 1 of 2015 are also dismissed.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ATR
Copies to;

1. The Chairman/Director General of Police
Tamilnadu Uniformed Services
Recruitment Board, Anna Salai
Chennai-2.
2. The Member Secretary
Tamilnadu Uniformed Services Recruitment
Board, Anna Salai, Chennai-2.

+ 3 ccs to Mr.R. Kamaraj, Advocate Sr.57246

W.P.Nos. 26090 to 26092 of 2015

KU(CO)
EU 28.10.15

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