

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.5606 of 2015 and
M.P.No.1 of 2015

M.Devendran

...Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. By Principal Secretary to Government,
Personnel and Administrative Reforms Department,
Secretariat, Fort St. George, Chennai - 600 009.
 2. The State of Tamil Nadu,
Rep. By Principal Secretary to Government,
Home Department, Secretariat,
Fort St. George, Chennai - 600 009.
 3. The Member Secretary,
Tamil Nadu Uniformed Services
Recruitment Board (TNUSRB),
Anna Salai, Chennai - 600 002.
-Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 16.02.2015 for relaxation of upper age limit for selection to the post of Sub Inspector of Police in Tamil Nadu Police Sub-Ordinate Services as one time measure and consequently direct the respondent to permit the petitioner to participate in the selection to the post of Sub-Inspector of Police based on the notification issued by the third respondent in Advertisement No.1/2015 dated 08.02.2015 and consequently direct the respondents to select and appoint the petitioner to the post of Sub Inspector of Police on merits.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.M.S.Ramesh,
Addl.Govt.Pleader

O R D E R

The petitioner seeks a writ of Mandamus, directing the third respondent to consider his representation for age relaxation and permit him to take part in the selection process for appointment to the post of Sub-Inspector of Police.

2. The third respondent issued a notification, dated 08.02.2015 calling for applications for appointment to the post of Sub-Inspector of Police. The notification contained details regarding upper age limit. In case a candidate belongs to SC/ST category, the prescribed age is 33 years. The petitioner is aged 34 years. Since the petitioner crossed the upper age limit, he would not be permitted to make an application for direct recruitment to the post of Sub-Inspector of Police. The petitioner therefore submitted a representation requesting the third respondent to relax the requirement with regard to age. The present request is to direct the third respondent to consider the said representation on merits.

3. Heard the learned counsel for the petitioner.

4. The third respondent issued a notification for appointment to the post of Sub-Inspector of Police. The notification contained the maximum age limit. The maximum age limit is 33 years in case candidate belongs to SC/ST category. Admittedly, the petitioner is over aged. There is no question of directing the third respondent to relax the condition regarding age, unless there is a specific Government Order permitting such relaxation. The petitioner is not in a position to point out any such Government Order permitting relaxation of age. Therefore, I am of the view that no direction can be issued to the third respondent to consider the case of the petitioner.

5. In the upshot, I dismiss the writ petition. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government of Tamil Nadu,
Personnel and Administrative Reforms Department,
Secretariat, Fort St. George, Chennai - 600 009.
2. The Principal Secretary to Government of Tamil Nadu,
Home Department, Secretariat,
Fort St. George, Chennai - 600 009.

3. The Member Secretary,
Tamil Nadu Uniformed Services
Recruitment Board (TNUSRB),
Anna Salai, Chennai - 600 002.

1 cc to Government Pleader, Sr.No11864
1 cc to Mr.G.Sankaran ,Advocate, SR.No.11484

W.P.No.5606 of 2015

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pmk.19.3.2015



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