

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 No. 6189 of 2015
and M.P. No. 4 of 2015

S.V. Gowrishankar

.. Petitioner

vs.

The Tamil Nadu Uniformed
Services Recruitment Board
Rep. by Director General of Police
P.T.Lee, Chengalvaraya Naicker Building
No.807, 2nd Floor, Anna Salai
Chennai-2.

.. Respondent

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 on the files of the respondent in registration for the post of Sub-Inspector of Police (Taluk) Recruitment dated 8.2.2015 insofar as the rejection of the application bearing Registration No.500394 is concerned only and quash the same and further direct the respondent to consider the application dated 8.2.2015 for the post of Sub-Inspector of Police (Taluk) in accordance with the terms of Notification No.01/2015 (Advertisement No.1/15) dated 8.2.2015.

For Petitioner : Mr. R. Senniappan

For Respondent : Mr. P.H. Aravind Pandian

Addl. Advocate General
assisted by Mr. S.T.S. Murthi,
Government Pleader and
Mr. V. Shanmugasundar
Government Advocate.

O R D E R

(Made by The Hon'ble The Chief Justice)

The grievance of the petitioner is that he was held ineligible for participating in the selection process for recruitment to the post of Sub Inspector on account of age bar.

2. The Notification was published on 08.02.2015. The petitioner belonging to the Backward Community, there was an age relaxation and he was eligible to apply upto the age of thirty years as on 01.07.2015. The petitioner, undisputedly, has crossed the thirty years of age.

3. It is the case of the petitioner that if the cut-off date instead of 01.07.2015 is taken as the date of Notification on 08.02.2015, the petitioner had not crossed the age bar of thirty years on that date.

4. In our view, it is an endeavour to rewrite the terms of the recruitment norms. It must be noticed that wherever any cut-off is provided for, there is always an element of abstract arbitrariness, as some people will fall on one side of cut-off, while others will fall on the other side of cut-off. In the wisdom of the respondent-authorities, they kept the cut-off relatable to the date 01.07.2015 and there could be no compulsion to keep the date for such cut-off as same that of the date of Notification.

5. We may notice that the interim application of the petitioner to participate in the recruitment process already stands rejected on 06.03.2015. We are, thus, of the view that no interference is called for to make the petitioner eligible for taking part in the examination.

6. The writ petition accordingly stands dismissed. No costs. Consequently, M.P. No.4 of 2015 is also dismissed.

ATR

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

The Director General of Police
Tamil Nadu Uniformed
Services Recruitment Board
P.T.Lee, Chengalvaraya Naicker Building
No.807, 2nd Floor, Anna Salai
Chennai-2.

+ 1 cc to Mr.R.Senniappan, Advocate SR 57308

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