



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 03.08.2015

Coram

THE HONOURABLE MR. JUSTICE T. RAJA

WP (MD) No.13769 of 2015

WEB COPY

M.Vadivazhagan

.. Petitioner

Vs.

The Chairman,
The Taminadu Uniformed Services,
Recruitment Board,
Egmore, Chennai.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus by calling for the records relating to the result published by the respondent in respect of Registration No.587987 and quash the same and consequently direct the respondent to treat the petitioner as qualified in Written Examination for the Sub Inspector of Police (Taluk) and consequently permit the petitioner to participate in physical test and interview to the post of Sub Inspector of police.

For Petitioner : Mr.V.Om Prakash

For Respondent : Mrs.S.Bharathi
Govt.Advocate

ORDER

This writ petition has been filed by M.Vadivazhagan challenging the impugned order, publishing the result of the petitioner by the respondent in respect of registration No.587987 and quash the same and consequently direct the respondent to treat the petitioner as qualified in Written Examination for the Sub Inspector of Police (Taluk) and further direction to the respondent to permit the petitioner to participate in physical test and interview to be held on 03.08.2015 to 05.08.2015.

2. Mrs.S.Bharathi, learned Government Advocate takes notice for the respondent.

3. By consent, this writ petition is disposed of at the stage of admission.

4. The learned counsel for the petitioner, in support of his prayer has pleaded that the petitioner after obtaining B.E. Degree (Aeronautical) from Anna University in 2013, being a Kabaddi player, along with a certificate of merits for securing Runners position in Anna University, Tirunelveli Intercollegiate Tournament for the year 2011 - 2012, which bears testimonial for his kabaddi performance, applied for the post of Sub Inspector of Police (Taluk) before the respondent, based on their advertisement in Notification No.1/2015 and Advertisement No.1/15 on 08.02.2015. Since he has applied for the said post in Sports Quota (under open Quota as specified for Non Departmental Candidates) on



20.02.2015, he was allowed to take up written examination by issuing Registration No.587987. Subsequently, result for the said examination also published on 18.07.2015.

5. The learned Government Advocate, at this juncture has brought to the notice of this Court that the communication issued by the respondent shows that the petitioner has secured 38.5% marks in the written examination and Enrolment Number is 3407601 and the remarks thereon shows that he has scored marks below the relevant cut-off marks. But to disprove the stand taken by the respondent, again the learned counsel for the petitioner has brought to the notice of this Court that the petitioner has secured 38.5 cut off marks, but the cut off marks prescribed by the respondent for sports quota is only 34. Therefore, when the cut off mark for sports quota under MBC is only 34, admittedly, in the present case, the petitioner having secured 38.5 marks as per communication of the respondent, he should have in all fairness permitted to participate in all the tests. Therefore, this Court keeping in mind, the communication of the respondent showing that the petitioner has scored 38.5 marks in the written examination, which is said to be below the relevant cut off, is totally unacceptable. Therefore, the petitioner is permitted to take part in physical test, scheduled to be held on 03.08.2015 to 05.08.2015. The learned Government Advocate is also directed to inform the name of the petitioner for his participation in physical test.

6. This writ petition is allowed with the above terms. No costs. Connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar(T&P)

/TRUE COPY/

Sub Assistant Registrar

To

The Chairman,
The Taminadu Uniformed Services,
Recruitment Board,
Egmore, Chennai.

Copy to:

Office of the Special Govt.Pleader,
Law Office,
Madurai Bench of Madras High Court,
Madurai. (for complying the direction)

+1cc to Mr.V.O.M.Prakash, Advocate SR.No.43311

WP (MD) No.13769 of 2015
and MP (MD) Nos.1 to 3 of 2015
03.08.2015

mj

PA/KBM/SAR-I/03.08.2015/2P/4C (IT)