

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.03.2016

CORAM :

The Hon'ble MR.SANJAY KISHAN KAUL, CHIEF JUSTICE

AND

The Hon'ble MR.JUSTICE M.M.SUNDRESH

W.P. No.8597 of 2016

&

WMP.No.7645 of 2016

P.Manikandan

... Petitioner

-vs-

1.The Secretary to Govt.,
Home (Police II) Dept.,
Fort St. George, Chennai.

2.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai.

3.The Member Secretary,
T.N.Uniformed Services Recruitment
Board, Egmore, Chennai-8

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorarified Mandamus to call for the records of the 3rd respondent in connection with the impugned order passed by him dt.15.11.15 (Enrolment No.1502768) and quash the same and direct the respondents to award ½ mark to the petitioner for NSS and select and appoint the petitioner as Sub-Inspector of Police and grant him all consequential service and monetary benefits.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.P.H.Aravind Pandian,
Addl. Adv. General, assisted by
Mr.S.T.S.Murthi, Govt. Pleader,
and Mr.V.Shanmugasundar, G.A.

* * * * *

O R D E R

(Order of the Court was made by The Hon'ble Chief Justice)

The petitioner, who participated in the recruitment for the Sub-Inspector of Police in pursuance to the advertisement dated 08.02.2015, raised an issue about the benefit of NSS certificate, which was granted to him by awarding half mark. Thereafter, the issue was not raised again till all the stages of examination processes are over and the final provisional list declared. Thereafter also more than three (3) months have elapsed.

2.Learned counsel for the petitioner claims that the benefit should be of one mark instead of half mark to somehow bring the candidate in the list.

3.In the aforesaid context, learned Additional Advocate General submits that to avail of this benefit, the date of birth should have been 25.04.1990, while the petitioner was born on 14.10.1991. Thus, he was not entitled to any mark strictly speaking, but still half a mark was given.

4.We are of the view that the issue sought to be raised is not only suffering from delay and laches, but is also on merit not in favour of the petitioner. It cannot be that the issue will continue to be raised qua examination process when this Court has monitored every stage only because unfortunately the petitioner does not make the cut-off by half a mark. At the relevant time, the issue was never raised by the petitioner, who was conscious about it possibly as he was otherwise not entitled to even this half a mark.

5.We find no reason to interfere with the matter. Writ Petition, thus, stands dismissed. No costs. Consequently Miscellaneous Petition is closed.

-s/d-

Assistant Registrar (CSV)

True Copy

Sub-Assistant Registrar

sra

To

- 1.The Secretary to Govt.,
Home (Police II) Dept.,
Fort St. George, Chennai.
- 2.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai.
- 3.The Member Secretary,
T.N.Uniformed Services Recruitment
Board, Egmore, Chennai.

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