



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2016

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition (MD) No.2808 of 2016

G.R.Sargurunathan

... Petitioner

Vs.

1.The State of Tamil Nadu,
represented by the Secretary to
Government,
Home Department,
Secretariat, Chennai 600 009.

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

3.The Chairman,
Tamil Nadu Uniformed Services
Recruitment Board,
No.807, P.T.Lee Chengalvaraya Naicker,
Maligai, Anna Salai,
Chennai 600 002.

4.The Superintendent of Police,
Thanjavur District Police Office,
Thanjavur.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for records pertaining to the impugned letter of the 4th respondent dated 04.09.14 in Na.Ka.No.A2/26141/2014 and earlier order dated 20.02.2014 in Na.Ka.No.A2/11666/2012 and quash the same and consequently directing the respondent to consider the petitioner's candidature in the next selection for Grade II Constables in Tamil Nadu Uniformed Services.

For Petitioner
For Respondents

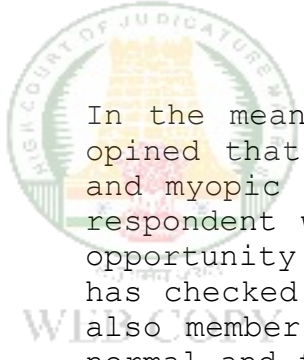
: Mr.R.Narayanan
: Mrs.S.Bharathi,
Government Advocate

ORDER

Challenging the non selection to the post of Police Constable, Grade II, the petitioner has come up with the above writ petition.

2.Heard the learned counsel for the petitioner. Mrs.S.Bharathi, learned Government Advocate, takes notice for the respondents.

3.The petitioner who is an aspirant for Police Constable, Grade II, had cleared the written examination which was conducted by the Tamil Nadu Uniformed Services Recruitment Board. Subsequently, he was sent for the next level for certificate verification and physical efficiency test.



In the meanwhile, he was referred to medical examination wherein it was opined that his eye sight was impaired due to corneal scar due to lasik and myopic fundus. Therefore, his candidature was rejected by the fourth respondent which according to the petitioner, was without even giving an opportunity for offering an explanation. It is his further case that he has checked up his eyes with an Ophthalmology Senior Civil Surgeon who is also member of the State Medical Board has certified that his vision is normal and fit for appointment in the Tamil Nadu Uniformed Services.

4.However, it is too late for the petitioner to approach the respondents to recruit him for the above said post pursuant to the notification dated 20.02.2014. Though there is no impediment for the petitioner to apply for the said post, the apprehension of the petitioner is that the impugned order of rejection should not come on the way. Therefore, it is always open to him to apply whenever the notification is called for by the respondents. The respondents shall consider his qualification and fitness as a fresh candidate without adverting to the earlier of order of rejection.

5.The writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar (AS)

/True copy/

Sub Assistant Registrar

To

1.The Secretary to Government,
Home Department, State of Tamil Nadu,
Secretariat, Chennai 600 009.

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

3.The Chairman,
Tamil Nadu Uniformed Services
Recruitment Board,
No.807, P.T.Lee Chengalvaraya Naicker,
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4.The Superintendent of Police,
Thanjavur District Police Office, Thanjavur.

+1 CC to the Special Government Pleader, SR No.7910

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sms

SH/PM-MP:16.02.2016:2P/6C