



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2016

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANAWrit Petition (MD) No.8087 of 2016andW.M.P(MD)No.6609 of 2016

Rajesh

... Petitioner

Vs.

Tamil Nadu Uniformed Services
Recruitment Board,
through its Member Secretary,
Anna Salai,
Chennai 600 002.

... Respondent

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Declaration to declare the notification No.1/2015 (Advertisement No.1/15) dated 08.02.2015 issued by the respondent as null and void in so far as it awards different Special Marks for open candidates and departmental candidates for NCC/NSS is concerned and consequently direct the respondent to select the petitioner herein by awarding him two special marks for NCC/NSS and also by awarding marks for the questions for the questions 75 82 102 and 106 in Booklet "A" series by accepting the objections raised by the petitioner for the said questions and appoint the petitioner as Sub Inspector (Taluk) Police.

For Petitioner

: Mr.AL.Kannan

For Respondent

: Mrs.S.Bharathi,

Government Advocate.

ORDER

The petitioner has filed this writ petition challenging the notification dated 08.02.2015 which is a recruitment process for the post of Sub Inspector of Police. There had been various challenges from the date of notification till the process was finalised and appointment orders were issued. The challenges were with respect to the reservation, priority category and also key answers to the questions etc., All aspects were dealt with by the Division Bench of this Court at various stages including the challenge to the viva voce proceedings. The last of such order in this regard passed by this Court on 07.03.2016 wherein the Division Bench has held as follows:



"4.We were faced with hundreds of cases during the selection process having dealt with each stage at the relevant time, so as to get the final stage and the result declaration. The candidates qualifying only at the particular stage would go to the next stage and that is the reason we monitored the process. The grievance/cause of action would arise at that stage in such examinations and we cannot expect the candidate to sleep over his/her rights and they must act promptly. In fact, we have rejected a large number of cases where petitioners had an afterthought based upon the subsequent stage performance to question the previous stage only to get in as a candidate qualified at the subsequent stage. Such a request cannot be permitted once the examination process is over, when the cause of action for the petitioner expired on one week expiring from 28.05.2015.

5.We had cautioned the learned counsel that now number of cases are coming up to somehow get into the list. This is a complete waste of judicial time and adventurism at best, especially when we have laid down principles which we examined in these matters. We thus, feel that the petitioner must be burdened with costs. However, taking into consideration the economic status of the petitioner, we impose only limited costs.

6.The writ petition is dismissed with costs of Rs.2,500/- (Rupees Two Thousand and Five Hundred Only) to be deposited with the Mediation and Conciliation Centre, High Court, Campus, Madras within a period of 15 days. Consequently, W.M.P.No.7432 of 2016 is closed".

2.Following the said order, the writ petition is dismissed. However, there shall be no order as to costs. Consequently, W.M.P(MD)No.6609 of 2016 is closed.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

The Member Secretary, Tamil Nadu Uniformed Services
Recruitment Board, Anna Salai, Chennai 600 002.

COPY TO: THE DEPUTY REGISTRAR, MEDIATION AND CONCILIATION CENTRE,
HIGH COURT CAMPUS, MADRAS HIGH COURT, MADRAS.

+one cc to M/s.A.L.Kannan, Advocate in SR.No.23902

+one cc to The Special Government Pleader in SR.No.23629

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and W.M.P (MD) No.6609 of 2016

25.04.2016