

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.26216 of 2017

S.Anbu

.. Petitioner

Vs.

The Chairman,
Tamil Nadu Uniformed Services Recruitment
Board, Pantheon Road, Egmore,
Chennai-8.

.. Respondent

Writ Petition filed under Article 226 constitution of India for issuance of a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 08.09.2017 and pass appropriate orders directing the selection of petitioner for the post of Grade II Police Constable/Jail Warder/Fireman in the examination conducted by the respondent on 21.05.2017.

For Petitioner : Mr.Su.Raameshwaran

For Respondent : Mr.K.Venkatramani,
Additional Advocate General
assisted by Mr.V.Jayaprakash Narayanan,
Special Government Pleader

O R D E R

The Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 08.09.2017 and pass appropriate orders directing the selection of petitioner for the post of Grade II Police Constable/Jail Warder/Fireman in the examination conducted by the respondent on 21.05.2017.

2. According to the petitioner, he belongs to Most Backward Community. He applied for the Post of Grade II Police Constable/Jail Warder/Fireman, called for by the 2nd respondent for the year 2017 and after the issuance of the hall ticket by the 2nd respondent, the petitioner attended the examination on 21.05.2017. Further, according to the petitioner, though he secured 74% of marks in the examination conducted by the 2nd respondent and also fulfilled all

the conditions prescribed by the 2nd respondent, he was not selected for the reasons best known to them. It is also stated that some of the candidates, who have not fulfilled the basic requirements for the aforesaid posts have been selected which is in flagrant violation of Articles 14 and 21 of the Constitution of India. Moreover, the procedure followed by the 2nd respondent for selection of the candidates for the aforesaid posts is also in utter violation of the rules and regulations. Hence, the petitioner made a representation dated 08.09.2017 to the 1st respondent with a request to consider his case for anyone of the aforesaid post. But, till date, no information whatsoever has been furnished to the petitioner which compelled the petitioner to approach this Court by way of filing this Writ Petition.

3. When the matter is called today, Mr.K.Venkataramani, learned Additional Advocate General, assisted by Mr.V.Jayaprakash Narayanan, learned Special Government Pleader for the respondent, by producing a computer print out showing the marks obtained by the petitioner in the examination would submit that the petitioner has secured only 65 marks (59 marks in the Written Examination and 6 marks in the Physical Education Test). He would further submit that since the PSTM cut off marks for MBC community candidates in Armed Reserve-Men Constables, Tamil Nadu Special Police Men Constables, Jail Warder Men Constables and Firemen are 73, 68, 67 and 67 respectively, the petitioner was not selected for anyone of the aforesaid posts. Therefore, the petitioner is not entitled to approach this Court seeking any of the reliefs in this regard and the present Writ Petition is liable to be dismissed.

4. Considering the above facts and circumstances and also the fact that when the petitioner has secured marks less than the cut off marks prescribed for the aforesaid posts under MBC Community, this Court is of the view that the petitioner has not come within the zone of consideration for appointment for anyone of the posts of Grade II Police Constable/Jail Warder/Fireman by the respondent.

5. In the result, the Writ Petition fails and the same is accordingly dismissed. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

The Chairman,
Tamil Nadu Uniformed Services Recruitment
Board, Pantheon Road, Egmore,
Chennai-8.

+1 CC to Government Pleader, High Court, Chennai Sr.No.72610

W.P.No.26216 of 2017

SV(CO)
KP(13.11.2017)



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