

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 20.09.2017
CORAM
THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.5436 of 2015

S. Ramkumar

... Petitioner

vs

The Chairman,
Tamilnadu Uniformed Service Recruitment Board,
P.T.Lee. Chengalvaraya Naicker Building,
No.807, II Floor, Anna Salai,
Chennai-600 002.

.... Respondent

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus or any order or direction, directing the respondent to consider the representation of the petitioner dated 17.02.2015, send on 18.02.2015 and direct the respondent to make necessary correction in the application format of the respondent in the online mode in the respective fields of educational columns so as to enable the petitioner to submit his application or to submit the petitioner a hard copy of the application, for the post of Sub Inspector of Police (Taluk) in Tamilnadu Police Sub Ordinate Service to the petitioner within the reasonable time on concern with his qualification on or before 07.03.2015 and permit the petitioner to written examination on 23.05.2015.

For Petitioner : No appearance

For Respondent : Mr. K. Dhananjayan
Special Government Pleader

O R D E R

The relief sought for in this writ petition is for a direction to consider the representation dated 17.02.2015, in respect of recruitment for the post of Sub Inspector of Police (Taluk).

2. The learned Special Government Pleader appearing on behalf of the respondent states that the writ petitioner made an application for recruitment for the post of Sub Inspector of Police (Taluk). However, his application was rejected on the ground that the writ petitioner was not possessing the required

educational qualification of degree as per service rules. The learned Special Government Pleader states that the degree obtained by the writ petitioner was through open University, without passing the SSLC and +2 examination and therefore, the said degree is invalid.

3. Further, the learned Special Government Pleader states that the writ petitioner has not obtained the degree as per the pattern prescribed by the University Grants Commission regulations i.e. 10+2+3. Thus, the qualification cannot be recognized as a valid degree as per the judgment of the Supreme Court of India and in the case of ANNAMALAI UNIVERSITY represented by Registrar Vs. SIBI MADAN GABRIEL and others, reported in (2009) 4 SCC 590. The Hon'ble Supreme Court of India dealt with the validity of the degree obtained in contravention to the pattern prescribed in the University Grants Commission regulations, and held that such Degrees are invalid.

4. Therefore, the degree obtained through Open University, without completing the SSLC, +2 in order, are invalid and such degree cannot be considered for recruitment for the post of Sub Inspector of Police (Taluk). This being the authoritative pronouncement of the Hon'ble Supreme Court of India, in the matter of recognizing the degree for recruitment, the qualification possessed by the writ petitioner is invalid. Thus, the rejection of application for the recruitment to the post of Sub Inspector of Police is in order and there is no infirmity. Thus, the relief even to consider the representation cannot be granted in this case, in view of the fact that the writ petitioner is not qualified for recruitment for the post of Sub Inspector of Police.

5. Accordingly, no further consideration of the grounds raised in this writ petition need to be undertaken. Hence, the writ petition stands dismissed. However, no order as to costs.

सत्यमेव जयते

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rpl

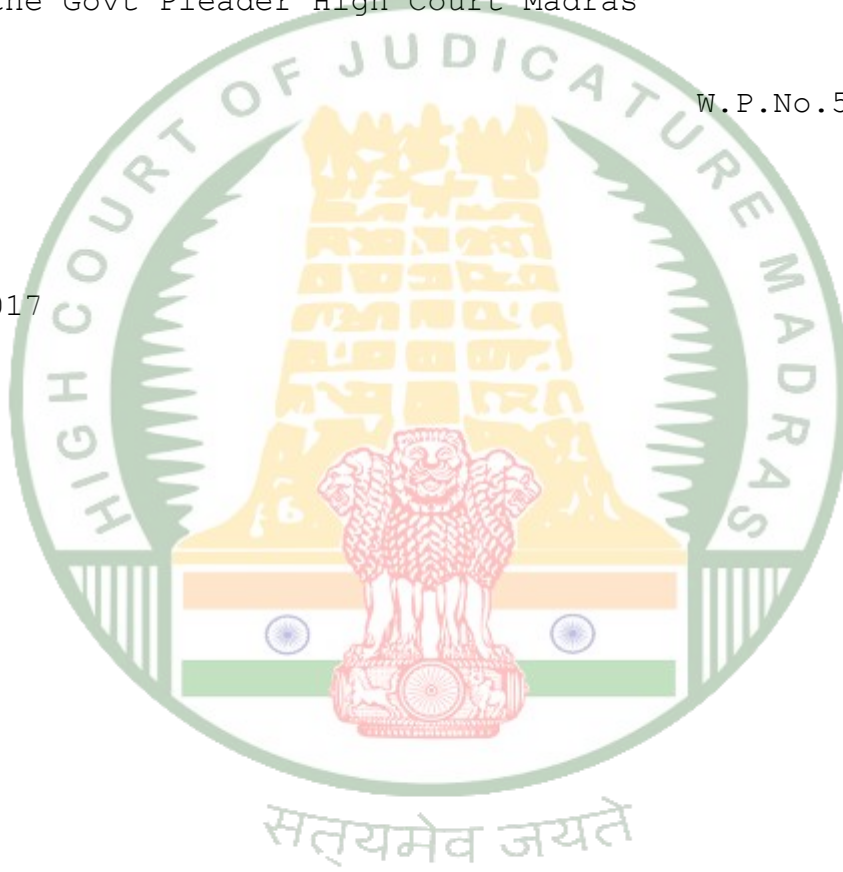
To

The Chairman,
Tamilnadu Uniformed Service Recruitment Board,
P.T.Lee. Chengalvaraya Naicker Building,
No.807, II Floor, Anna Salai,
Chennai-600 002.

+1 cc to the Govt Pleader High Court Madras
sr 69914

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