



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2017

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CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.A.(MD) No.154 of 2016
and
C.M.P.(MD) No.733 of 2016

I.Rajesh Kumar ... Appellant/Petitioner.

-vs-

1.The Secretary to the Government
of Tamil Nadu
Home Department
Fort St.George, Chennai-600 009

2.The Director General of Police
Tamil Nadu Police Service
Kamarajar Salai, Chennai

3.The Chairman
Uniformed Service
Recruitment Board
No.807, P.T.Lee Chengalvarayar Maligai
Anna Salai, Chennai-600 002

4.The Deputy Inspector General
Tirunelveli Range, Tirunelveli

5.The Superintendent of Police
Kanyakumari District at Nagercoil ...Respondents/Respondents.

Writ Appeal filed under Clause 15 of Letters Patent to set aside the order, dated 04.01.2016, made in W.P.(MD) No.23532 of 2015.

Prayer in WP(MD). 23532/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the Respondents to consider the Representation of the Petitioner dated 10.11.2015 and permit the Petitioner to



appear for the Special Written Examination for the Selection of Grade-II Constable.

For Appellants : Mr.M.R.Sreenivasan
For Respondents : Mr.V.Muruganantham, A.G.P.

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J U D G M E N T

[Judgment of the Court by T.S.SIVAGNANAM, J.]

Heard Mr.M.R.Sreenivasan, learned counsel appearing for the appellant and Mr.V.Muruganantham, learned Additional Government Pleader appearing for the respondents and carefully perused the materials placed on record.

2. This writ appeal by the writ petitioner is directed against the order, dated 04.01.2016, made in W.P.(MD) No.23532 of 2015.

3. The appellant filed a writ petition, in W.P.(MD) No.23532 of 2015, seeking for issuance of a writ of mandamus to direct the respondents to consider his representation, dated 10.11.2015, and to permit him to appear for the Special Written Examination for the selection of Grade-II Constable.

4. Admittedly, at the relevant point of time, the appellant did not possess the requisite qualification of number of years of service. Therefore, the respondents are justified in not permitting him to sit for special written examination for the selection of Grade-II Constable.

5. The learned counsel appearing for the appellant submitted that as of now, the appellant has completed two years of service as Youth Brigade and he is eligible to be considered as Grade-II Constable.

6. The learned Additional Government Pleader appearing for the respondents submits that as of now, there is no provision to consider such a relief sought for by the appellant.

7. In the light of the same, we close the writ appeal. However, as and when any avenue is provided to mover over to the regular Police Service by appearing for any examination, the appellant is at liberty to participate in the said selection. No costs. Consequently, connected civil miscellaneous petition is closed.

Sd/-
Assistant Registrar

/True Copy/



To:

1.The Secretary to the Government
of Tamil Nadu,
Home Department,
Fort St.George, Chennai-600 009.

2.The Director General of Police,
Tamil Nadu Police Service,
Kamarajar Salai, Chennai.

3.The Chairman,
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5.The Superintendent of Police,
Kanyakumari District at Nagercoil.

+1CC to the Special Government Pleader SR.No. 53915

W.A. (MD) No.154 of 2016
and
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