



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2017

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THE HONOURABLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. (MD) No. 273 of 2011

and

W.M.P. (MD) No. 1 of 2011

M.Saravanan

... Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep by its Secretary,
Home Department, Secretariat,
Anna Salai, Chennai-600 002.

2.The Member Secretary,
Tamil Nadu Uniformed Service Recruitment Board,
P.T.Lee.Chengalvaraya Naicker Maligai,
807, Anna Salai,
Chennai-600 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus, directing the respondents herein to appoint the petitioner herein as Grade II Police Constables/Grade II Jail Warders/ Firemen by reserving 5 % of vacancies for Ex-Servicemen as per the G.O.Ms.No.762, Public (EX-Servicemen) Department, dated 29.08.2002.

For Petitioner : No Appearance
For Respondents : Mr.A.K.Baskara Pandian
Special Government Pleader

O R D E R

The writ petition has been filed for a direction to the respondents to appoint the petitioner as Grade II Police Constables / Grade-II Jail Warders / Firemen by reserving 5 % of vacancies for Ex-servicemen as per G.O.Ms.No.762, Public (Ex-Servicemen) Department, dated 29.08.2002.

2.The learned Special Government Pleader appearing for the respondents submits that after filing the writ petition, on 16.12.2010, the Government of Tamil Nadu by G.O.(2D).No.67, dated 24.02.2011 passed the following order:-

<https://hcservices.ecourts.gov.in/hcservices/>

5.In the G.O. first read above, necessary amendments have been made in the Special rules for



the Tamil Nadu Police Subordinate Service Rules, regarding the reservation in the appointment as follows:-

"12.Reservation of appointments:- The rule of reservation of appointments (General Rule 22 of the Tamil Nadu State and Subordinate Services Rules) as amended from time to time shall apply for appointment to all categories in the service by direct recruitment."

Subsequently, necessary provisions has been made by General Rule 22 (ab) inter-alia provides that

"Out of the total number of appointments reserved in the categories referred to in clause (a), in the case of appointment made by direct recruitment to Group 'C' posts, five percent in each such category shall be reserved for Ex-servicemen and subject to availability of such candidates, the appointment shall be made in turn and in the order of rotation as specified in SCHEDULE III-B to this part."

6.in the light of the above orders, this department have decided to reserve 5% to the Ex-Servicemen for appointment in the Group "C" in the State Government Service following the existing reservation. Necessary amendment to the Tamil Nadu Police Subordinate Service shall be issued separately for which the Director General of Police is requested to send necessary proposal."

On that basis, it is further submitted by him that the petitioner was entitled to be considered for appointment and he would have been called for interview also pursuant to the same. This Court, by order dated 11.04.2011 in W.P.(MD)Nos.150, 151 and 359 of 2011 had passed orders to that effect in respect of similarly placed persons.

3.As nothing remains for further adjudication in this matter, the Writ petition is disposed of, recording the aforesaid subsequent developments. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(P&A)

/True Copy/



To

1.The Secretary to the Government of Tamil Nadu,
Home Department, Secretariat,
Anna Salai, Chennai-600 002.

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2.The Member Secretary,
Tamil Nadu Uniformed Service Recruitment Board,
P.T.Lee.Chengalvaraya Naicker Maligai,
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W.P. (MD) No.273 of 2011
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sj

AM/SV MMS/SAR 4/20.12.2017/3P/3C