

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2018

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

AND

THE HON'BLE MR.JUSTICE R.SUBRAMANIAN

W.A.No.1354 of 2015

J.Kuppuraj

...Appellant

Vs

Tamil Nadu Uniformed Services
Recruitment Board,
Represented by its Chairman
Chennai - 600 008.

....Respondents

Prayer:- Writ Appeal filed under Clause 15 of Letters Patent Act, to set aside the order passed by this Court in W.P.No.16391 of 2015 dated 29.06.2015.

PRAYER IN W.P.No.16391 of 2015:

Petition Under Article 226 of the Constitution of India for the issuance of writ of Certiorarified Mandamus, Calling for the records relating to the order dated Nil as published in the Website of the respondent, rejecting the application (Reg. No.538498) of the petitioner for recruitment to the Post of Sub Inspector of Police (Taluk) 2015 (Men and Women), quash the same and issue consequential directions to the respondent to admit the application of the petitioner and allow him to write supplemental Written Examination and no complete his Selection Process and consider his candidature for recruitment to the above said post in accordance with his performance.

For Appellant : Mr.M.Sedhumadhavan
for Mr.M.Ravi

For Respondent : Mr.N.Manikandan
Government Advocate

J U D G M E N T

(delivered by K.K.SASIDHARAN, J.)

The writ petition filed by the appellant in W.P.No.16391 of 2015 to direct the Tamil Nadu Uniformed Services Recruitment Board to conduct a supplementary examination for appointment to the post of Sub-Inspector of Police and to give him an opportunity to take part in the selection process was dismissed by the learned single Judge. The order is under challenge at the instance of a Head Constable in the Tamil Nadu Police Force.

2. The application submitted by the appellant for appointment to the post of Sub-Inspector of Police under the 20% departmental quota was rejected primarily on the ground that the scanned image of the "No Objection Certificate" was issued after the issuance of the notification. The appellant uploaded the "No Objection" in respect of another candidate. The application was therefore rightly rejected by the Tamil Nadu Uniformed Services.

3. The appellant wanted the Recruitment Board to conduct a fresh recruitment so as to enable him to rectify the defect and take part in the selection process. The application submitted by the appellant was rightly rejected on account of non-compliance of the mandatory condition. There is no question of conducting a supplementary examination just to accommodate the appellant. The learned single Judge was therefore justified in rejecting the request for conducting the supplementary examination for appointment to the post of Sub-Inspector of Police. It is always open to the appellant to submit application for appointment as Sub-Inspector of Police as a departmental candidate, if he is otherwise eligible.

4. The intra court appeal is dismissed with the above observation. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

svki

To

The Chairman
Tamil Nadu Uniformed Services
Recruitment Board,
Chennai - 600 008.

+1cc to Mr.M.RAVI, Advocate, S.R.No. 47322
+1cc to the Government Pleader, S.R.No.47627

W.A.No.1354 of 2015

VSN II (CO)
TR(11/08/2018)



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