

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 13-12-2018

CORAM
THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No. 11006 of 2005
W.P.M.P.Nos. 1054 & 1055 of 2007

C.Radhiga

... Petitioner

Vs

Director - General of Police / and Chairman,
Tamil Nadu uniformed Services,
Recruitment Board,
Office of the Director - General of Police,
Mount Road, Chennai - 600 002.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, pleaded to issue a Writ of Certiorified Mandamus, calling for the records relating to the memo CN:- D3/1580/2005, dated 17.03.2005 of the Director-General Police and Chairman of Tamil Nadu uniformed Services Recruitment Board, Chennai - 2 (the Respondent herein) quash the same and direct the respondent to appoint the petitioner herein as Woman Sub Inspector of Police and grant such further or other relief as this court may deem fit and proper in the circumstances of this case.

For Petitioner : Mr.E.SampathKumar

For Respondent : M/s.R.Janaki
Additional Government pleader

O R D E R

The order of rejection dated 17.03.2005 for selection to the post of Woman Sub Inspector of Police in Tamil Nadu Police Service in the year 2001-2002 is under challenge in the present writ petition.

2. The learned counsel for the writ petitioner states that pursuant to the Recruitment notification issued by the respondent, the petitioner submitted an application to participate in the selection process for appointment to the post of Woman Sub Inspector of Police in Tamil Nadu Police Service. The petitioner had successfully passed in written examination and she was allowed to participate in the Physical Training Test, Endurance Test and other tests including the interview.

3. The grievances of the writ petitioner is that her application was admitted and she was permitted to participate in the selection

process and after selection, the respondents had informed that the petitioner had not completed the degree examination before the date of issue of the notification for the Recruitment of Woman Sub Inspector for the years 2001-2002.

4. The learned counsel for the petitioner states that having admitted the writ petitioner to participate in the selection process, the respondents ought not to have rejected the application of the writ petitioner after selection.

5. The learned Additional Government Pleader relying on the counter affidavit filed on behalf of the respondent states that the writ petitioner had participated in the selection process and was successful. However, her application was rejected on the ground that the petitioner had not passed degree course before the cut-off date stipulated in the Recruitment notification. Thus, the petitioner was found ineligible for appointment as per the terms and conditions of the Recruitment notification.

6. Appointments can never be claimed as a matter of right. Mere participation of the candidate in the selection process will not confer any right to seek appointments. Credentials, eligibility criterias and other aspects, including antecedents of the candidates shall be verified even after the completion of the selection process. The recruitment is for the post of Woman Sub Inspector, which is the Uniformed services and the conduct, character and the Credentials can be verified even after the selection of the candidates. Even if, an ineligible candidate is permitted to participate in the selection process and subsequently, found that the candidate had not passed the Degree Course within the cut-off date notified in the recruitment notification, then the authorities competent are bound to reject the candidature as the participants was not eligible. Ineligible or otherwise can be traced out at any point of time and even the certificate produced can be even after the appointment by the department concerned.

7. In view of the legal principles that the selection process will not confer any right on the candidates, this Court is of an opinion that the fact regarding non possessing of the degree qualification as per the terms and conditions of the Recruitment notification has not disputed by the writ petitioner.

8. This being the factum of the case, the writ petitioner has not established any legal grounds for the purpose of interfering with the impugned rejection order passed by the

respondent. Accordingly, there is no infirmity as such and the writ petition is devoid of merits and stands dismissed. However, there shall be no order as to costs. Consequently connected Miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kak/kmm

To

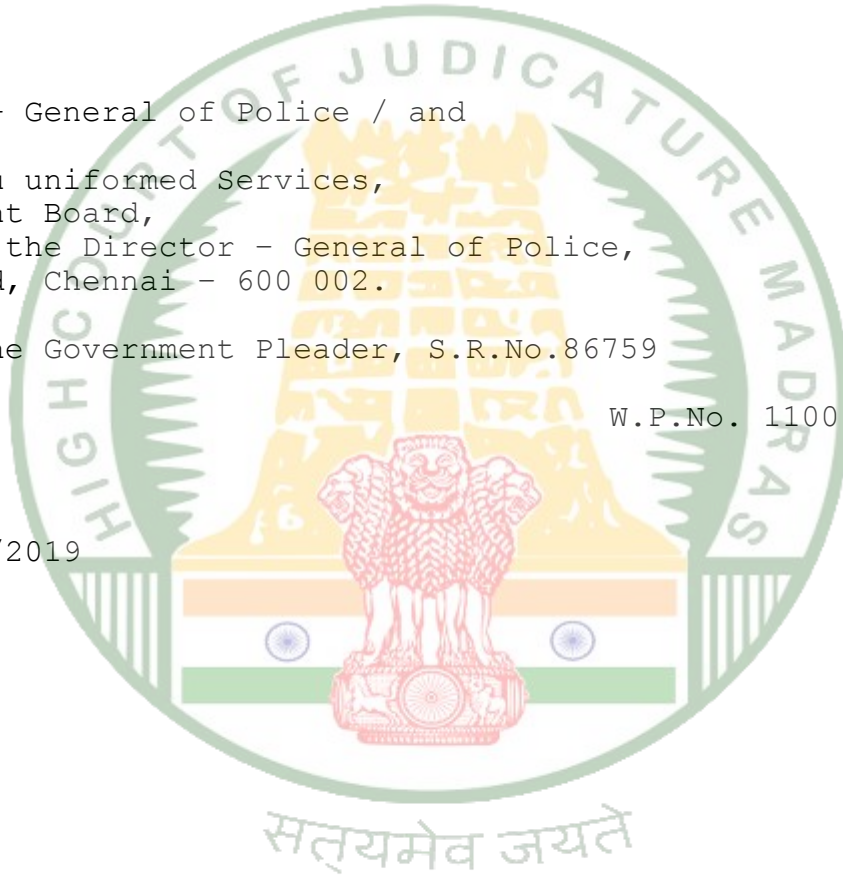
Director - General of Police / and
Chairman,
Tamil Nadu uniformed Services,
Recruitment Board,
Office of the Director - General of Police,
Mount Road, Chennai - 600 002.

+lcc to the Government Pleader, S.R.No.86759

W.P.No. 11006 of 2005

CP(CO)

rrs 08/01/2019



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