

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.2764 of 2018

R. Suresh

.... Petitioner

vs

1. The Chief Secretary,
Government of Tamil Nadu,
Secretariat,
Fort St. George,
Chennai - 600 009
2. The Secretary,
Home Department,
Government of Tamil Nadu,
Secretariat,
Fort St. George,
Chennai - 600 009
3. The Secretary,
Finance Department,
Government of Tamil Nadu,
Secretariat,
Fort St. George,
Chennai - 600 009
4. The Secretary,
Police Department,
Government of Tamil Nadu,
Secretariat,
Fort St. George,
Chennai - 600 009
5. The Director of Police/President,
Tamil Nadu Seerudai Paniyalur Thervu Kuzhumam,
Egmore, Chennai - 600 008
6. The Member Secretary,
Tamil Nadu Seerudai Paniyalar,
Thervu Kuzhumam,
Chennai - 600 008.

.... Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Writ of Certiorarified Mandamus to call for the records pertaining to the Notification for the recruitment of constables issued by the sixth respondent dated 28.12.2017, Examination Code No.2, Advertisement No.217 in the Tamil Newspaper Daily Thanthi and quash the same insofar as it relates to the upper age to the tune of 26 years for BCs, MBCs and Seermarabinars and direct the fifth respondent to accept BC, MBC and Seermarabinar persons who are 28 years to apply for the post of second grade constables and other posts in consequences of Notification dated 28.12.2017 issued by the sixth respondent.

For Petitioner :: Mr.T. Sivagnanasambandan

For respondents :: Mr.V. Kadhirvelu
Spl.Government Pleader

ORDER

The petitioner, who has got an aspiration to join in the Police Department, is waiting to apply for the post of Constable. In the meanwhile, the sixth respondent viz, The Member Secretary, Tamil Nadu Seerudai Paniyalar Thervu Kuzhumam issued a Notification No.217 dated 28.12.2017 inviting applications from the eligible candidates for the post of Constables and other posts, fixing the last date for submission of the application as 22.12.2017. Since the petitioner was born on 07.05.1991 and he is overaged as per the age and qualification fixed for the interview, he is unable to apply. Even he applied on-line indicating his overage which would not be accepted. In the State of Telengana, the upper age limit or recruitment of II grade Constable is 28 years, whereas, in the State of Tamil Nadu, the age limit has been fixed as follows.

S.N o	Category	Youth Brigade recruited in the year 2013	Present Notification 28.12.2017	Age (after youth brigade given conversion to regular police)
1	General	25 years	24 years	27 years
2	BC, MBC, Seermarabinar	27 years	26 years	29 years
3	SC	30 years	29 years	32 years
4	Height	169	180	-

S.N o	Category	Youth Brigade recruited in the year 2013	Present Notification 28.12.2017	Age (after youth brigade given conversion to regular police)
5	Chest	80	81	-

Since the petitioner has got required physical measurements, if a direction is issued to accept his on-line application, without considering his age qualification, no prejudice would be caused to the respondents.

2. This prayer is hit by delay and laches. This Court is not inclined to entertain the writ petition. The reason is that in the Notification No.217 dated 28.12.2017 issued by the sixth respondent, last date was fixed for submitting the application was 22.12.2017. Unfortunately, the petitioner, who was blaming himself that he was overaged before issuance of Notification for the post of Constable has slept over the matter by not filing the present writ petition well in advance before expiry of the last date i.e, 22.12.2017.

3. This Court, holding the petitioner as guilty of laches, is not inclined to entertain the writ petition.

4. In the result, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS VII)

//True copy//

सत्यमेव जयते Sub Assistant Registrar

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To

- The Chief Secretary,
Government of Tamil Nadu,
Secretariat,
Fort St. George,
Chennai - 600 009

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2. The Secretary,
Home Department,
Government of Tamil nadu,
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3. The Secretary,
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Egmore, Chennai - 600 008

6. The Member Secretary,
Tamil Nadu Seerudai Paniyalar,
Thervu Kuzhumam,
Chennai - 600 008.

+1cc to Government Pleader SR.No.10964

W.P.No.2764/2018

GN(27/02/2018)

सत्यमेव जयते

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