

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2018

CORAM:

THE HON'BLE MR. JUSTICE T. RAJA

W.P. No.14 of 2018 & W.M.P. No.10 of 2018

S. Ganesan

Petitioner

vs.

The Member Secretary
Tamil Nadu Uniformed
Services Recruitment Board
Chennai 600 008

Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondent to conduct proper enquiry regarding non-selection of the petitioner (Enrolment No.0806430) by taking note of the Tamil Medium Certificate and NSS Camp Certificate and select the petitioner for the post of Grade II Police Constables (M & W), Grade - II Jail Warders (M & W) and Firemen - 2017.

For petitioner Mr. C. Prakasam

For respondent Ms. Narmadha Sampath

Addl. Advocate General - VIII
assisted by
Mr. V. Jayaprakash Narayanan
Special Government Pleader

ORDER

Mr. V. Jayaprakash Narayanan, learned Special Government Pleader, accepts notice for the respondent.

2 This writ petition has been preferred seeking a writ of mandamus directing the respondent to conduct proper enquiry regarding non-selection of the petitioner (Enrolment No.0806430) by taking note of the Tamil Medium Certificate and NSS Camp Certificate and select the petitioner for the post of Grade II Police Constables (M & W), Grade - II Jailwarders (M & W) and Firemen - 2017.

3 The learned counsel for the petitioner submitted that the petitioner, who belongs to MBC community and also comes under Tamil cum PSTM category, secured 66 marks and hence, the

respondents should have permitted him to partake in the certificate verification process, as he also possesses NSS camp certificate for which he is entitled to get ½ mark.

4 Opposing the above prayer, Ms. Narmadha Sampath, learned Additional Advocate General-VIII submitted that though admittedly, the petitioner comes under MBC category, he has secured only 66 marks, whereas, the cut off mark for the said category has been fixed at 67 marks and as such, he does not come within the zone of consideration at all. Her second contention is that even if the petitioner's contention that he is entitled to get ½ mark as per the Notification issued by the respondent Board for possessing NSS certificate is to be accepted, even after adding ½ mark subject to the condition of the said NSS certificate being genuine, still, he is trailing behind the zone of consideration.

5 This Court finds substance in the first submission made by the learned Additional Advocate General, inasmuch as the petitioner has admittedly secured only 66 marks and as such, does not come within the zone of consideration. Secondly, as rightly argued by the learned Additional Advocate General, even if the petitioner is granted ½ mark for possessing NSS certificate assuming that the said certificate is genuine, his position is not going to be improved to make him come within the zone of consideration.

In such view of the matter, this Court is of the opinion that this writ petition is devoid of merits and hence, this writ petition stands dismissed accordingly. Costs made easy. Connected W.M.P. is closed.

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

cad

To

The Member Secretary
Tamil Nadu Uniformed
Services Recruitment Board
Chennai 600 008

+ 1 cc to Mr. Government Pleader Sr.689
+ 1 cc to MR.C. Prakasam, Advocate Sr.522

W.P.No.14 of 2018

(CS-IV)
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