



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
and
THE HONOURABLE MRS.JUSTICE R.THARANI

W.A. (MD) No.401 of 2018
and
C.M.P. (MD) No.2433 of 2018

1. The State of Tamil Nadu,
Rep. by its Secretary,
Home Department,
Secretariat,
Chennai.
2. The Chairman,
Tamil Nadu Uniformed Services,
Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore, Chennai-600 008.
3. The Director General of Police,
Dr.Radhakrishnan Salai,
Chennai.
4. The Additional Director General of Police
and Inspector General of Prisons,
Whannels Road, Egmore, Chennai-8.
5. The Director,
Fire & Rescue Services,
Egmore, Chennai.

.. Appellants

Vs.

S.Vignesh

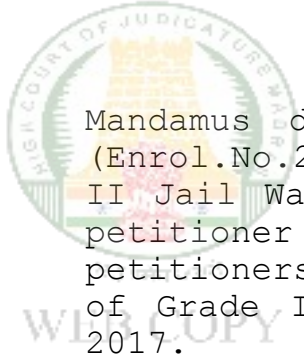
.. Respondent

PRAYER: Writ Appeal is filed Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 09.01.2018, made in W.P. (MD).No.20570 of 2017, on the file of this Court.

Prayer in WP (MD) No.20570/ 2017 :

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Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of



Mandamus directing the 2nd respondent to select the petitioner (Enrol.No.20038761) for the post of Grade II Police Constable, Grade II Jail Warders and Fireman-2017 as per the marks obtained by the petitioner and thereby directing the 2nd respondent to include the petitioners name and register number in selection provisional list of Grade II Police Constable, Grade II Jail Warders and Fireman-2017.

For Appellants : Mr.B.Pugalendhi
Additional Advocate General
assisted by Mr.A.K.Baskara Pandian
Special Government Pleader

JUDGMENT

[Judgment of this Court was made by T.S.SIVAGNANAM, J.]

Heard Mr.B.Pugalendhi, learned Additional Advocate General, appearing for the appellants.

2.This Appeal by the Tamil Nadu Uniform Service Recruitment Board, against the direction given in W.P.(MD)No.20570 of 2017 by an order dated 09.10.2017.

3.The respondent filed writ petition praying for a direction to the appellants to select him to the post of Grade II Police Constable- Jail Warders - Fireman- in the selection conducted in the year 2017 based on the marks obtained by the respondent / writ petitioner. The respondent while filling-up the application form, he was required to indicate his preference for being selected, when the applications were called, namely for the post of AR-PC / TSP-PC, Jail Warder and Fireman. The respondent / writ petitioner had indicated his preference only for the post of AR-PC and did not give his preference in respect of the other three posts.

4.The Question was, in such an event, what would be the procedure to be followed by the second appellant. The Writ Court after considering the information brochure, which are the rules of selection, and taking note of the facts, found that the respondent / writ petitioner have not indicated his preferences for four posts in order and indicated only AR-PC and same required to be ignored and the respondent / writ petitioner has to be given appointment based upon the marks secured by him. Admittedly the preference indicated by the respondent / writ petitioner for the post of AR-PC cannot be given to him as he did not secured required cut of marks.

5.Therefore, in our considered view, the writ Court rightly allowed the relief to be granted to the writ petitioner and allowed the writ petition. We find that no ground have been made out to interfere with the said order. Accordingly, Writ Appeal fails and

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dismissed and the directions issued in the Writ Petition has to be implemented within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, C.M.P.(MD)No.2433 of 2018 is closed.

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Sd/-
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1. The Secretary,
State of Tamil Nadu,
Home Department,
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 2. The Chairman,
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 4. The Additional Director General of Police
and Inspector General of Prisons,
Whannels Road, Egmore, Chennai-8.
 5. The Director,
Fire & Rescue Services,
Egmore, Chennai.
- + 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 56471

TA
TE/KKR/SAR-4 : 12/04/2018 : 3P/7C

ORDER MADE IN
W.A(MD)No.401 of 2018
19.03.2018