



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2018

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WEB COPY

THE HON'BLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P.(MD) No.4559 of 2018

D.Ashik Tennison

... Petitioner

-VS-

1. The Director General of Police,
Tamil Nadu Uniformed Services
Recruitment Board,
Old Commissioner of Police Campus,
Patheon Road,
Egmore, Chennai - 600 008.
2. The Inspector General of Police,
Tamil Nadu Uniformed Services
Recruitment Board,
Old Commissioner of Police Campus,
Patheon Road,
Egmore, Chennai - 600 008.
3. The Superintendent of Police,
Tamil Nadu Uniformed Services
Recruitment Board,
Old Commissioner of Police Campus,
Patheon Road,
Egmore, Chennai - 600 008.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ, Order or direction more particularly in the nature of a Writ of Mandamus directing the respondents to permit the petitioner to writ the written examination having application Registration No.USR00279607 for the post of Police Constable Grade II after receiving the necessary amount towards the fees which is to be held on 11.03.2018.

For Petitioner
For Respondents

: Mr.A.David Oliver
: Mr.Chellapandian
Additional Advocate General
Assisted by Mr.Baskara Pandian
Special Government Pleader

**O R D E R**

The petitioner wanted to take part in the recruitment process to be conducted by the respondent board. He submitted his online application on 26.01.2018. Along with the application form, he must remit fee of Rs.147.70. The petitioner took steps to remit the same through net banking. Unfortunately, the transaction was not successful. The petitioner probably was under the impression that he had already remitted the fee. He did not bother to verify if the payment was approved. The petitioner realized that the remittance of fee was not made only much later. Thereafter, he engaged himself in correspondence with the respondent board. This writ petition came to be filed only on 01.03.2018. It was taken up for admission on 05.03.2018 and taken up for final disposal today.

2.The learned Additional Advocate General appearing for the respondents pointed out that the writ petition is liable to be dismissed for three reasons. Firstly, it is hit by laches. Secondly, it was the duty of the petitioner to verify if the payment of fee was actually made through net banking. In the present case, admittedly, the remittance was not made. Therefore, the petitioner has to necessarily face the consequences. Thirdly, a similar writ petitions were filed before the Principal Bench of this Court in W.P.Nos.4422 to 4426 of 2018 and that the same were dismissed on 28.02.2018.

3.This Court is of the view that all the three grounds raised by the learned Additional Advocate General have considerable force and deserve to be accepted. That apart, as rightly pointed out by the learned Additional Advocate General, the examination itself is to be conducted on 11.03.2018 and the Hall Tickets have already been generated on 27.02.2018 and that therefore, it would not be possible to generate at this last minute. The entire process takes place through online mode and therefore, it will not be possible for any further tinkering. Therefore, I find no merits in this writ petition.

4.Accordingly, this writ petition stands dismissed. No costs.

sd/
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar



To

1. The Director General of Police,
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3. The Superintendent of Police,
Tamil Nadu Uniformed Services
Recruitment Board,
Old Commissioner of Police Campus,
Patheon Road,
Egmore, Chennai - 600 008.

+1cc to Mr.A.David Oliver, Advocate in SR.No. 53148

+1cc to The Special Government Pleader in SR.No. 53587

skn

AE/RSK/SAR1/17.05.2018/3P/6C

W.P. (MD) No.4559 of 2018
06.03.2018