



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 05.09.2018
CORAM
THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN,J

W.P(MD)No.18351 of 2018
and
W.M.P(MD) .No.17011 of 2018

S.Jeyalakshmi

..Petitioner

Vs

1.The Chairman

Tamil Nadu Uniformed Service Recruitment Board
807, 2nd Floor, Anna Salai
Chennai 600 002

2.The Chairman/Sub Committee

Tamil Nadu Uniformed Service Recruitment Board
Egmore, Chennai -8

3.The Superintendent of Police

Tuticorin District

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to include the petitioner name in the selection list and permitted to participate in the physical test for the post of Combined Recruitment of Grade II Police Constables/Grade II Jail Wardens/Firemen 2017-2018.

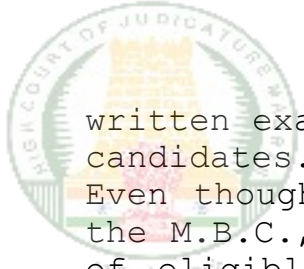
For Petitioner : Mr.P.Subbaraj

For Respondents : Mr.K.Chella Pandian
Additional Advocate General assisted by
Mr.A.K.Baskara Pandian
Special Government Pleader

ORDER

The Petitioner has come forward with this writ petition to direct the respondents to include the petitioner's name in the selection list and permitted to participate in the physical test for the post of Combined Recruitment of Grade II Police Constables/Grade II Jail Wardens/Firemen 2017-2018.

2.The case of the petitioner is that the application was called for from the eligible candidates by the first respondent for the post of Combined Recruitment of Grade II Police Constables/Grade II Jail Wardens/Firemen 2017-2018 and the petitioner has applied for the said post. The petitioner appeared for the written examination and she had secured 41 marks. Even though she has succeeded in the



written examination, her name did not figure in the list of eligible candidates. The petitioner belongs to M.B.C (Most Backward Class). Even though she has secured the marks required to be considered in the M.B.C., quota, the petitioner name was not included in the list of eligible candidates by the respondents in the selection list. Hence, this writ petition has been filed.

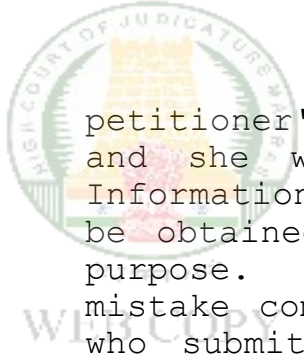
3. Heard both sides.

4. The learned counsel for the petitioner contended that the petitioner shall be permitted to take part in the physical test for the post of Combined Recruitment of Grade II Police Constables/Grade II Jail Wardens/Firemen 2017-2018. He would submit that the petitioner belongs to Maraver Community and that she has produced community certificate and S.S.L.C Certificate. Even though the community certificate number was mentioned in the application, the same was not uploaded by the Browsing Centre, which is not due to her fault. The petitioner's case is got to be considered, for which, she has made a representation on 16.08.2018 to the second respondent herein.

5. Even though no counter has been filed by the respondent, the learned Additional Advocate General has produced a written instruction duly signed by the Inspector General of Police & Member Secretary, Tamil Nadu Uniformed Services Recruitment Board, Chennai - 2, wherein, it has stated that the petitioner was not considered under M.B.C as she failed to upload the community certificate and hence she was treated under Open Category.

6. The learned counsel for the petitioner also drew the attention of this Court to the application, wherein, the community certificate as well as the S.S.L.C Certificate, the very same code number was mentioned, which refers to S.S.L.C Certificate and not community certificate. In the Information Brochure, more particularly in Paragraph No.25, it has been clearly stated that the certificates which are not uploaded at the time of online application, the same will not be accepted at later stage.

7. This Court is of the view that if the contention of the petitioner is accepted, it will become not only an endless litigation but also will open a flood gate to the other disqualified candidates and will affect the genuineness and legitimate candidates from getting selection, which will hinder the entire selection process. It is not in dispute that the petitioner is one of the applicants for the post of Combined Recruitment of Grade II Police Constables/Grade II Jail Wardens/Firemen 2017-2018. She has secured 41 marks and as per application she belongs to M.B.C. Category. For best known to her, inadvertently the community certificate has not been uploaded as required in terms of the Information Brochure. As it was not included, the respondent has rightly treated the candidate belonging to Open Category and her case was considered. Since she has not secured the cut off marks for open category, the



petitioner's name did not figure in the list of eligible candidates and she was not called for physical verification test. The Information Brochure also clearly states that the application has to be obtained only through e-mail, which has created for that said purpose. Even assuming for the sake of arguments, that there is a mistake committed by the browsing centre, it is for the applicant who submitted his or her application to give all the necessary documents and details correctly.

8.The respondents have rightly placed the petitioner under open category. Since the petitioner did not secure the minimum marks required for open category, she was not considered. I find no error in the decision taken by the respondent. Hence, the prayer sought for the by the petitioner to include her name in the selection list and to permit her to participate in the physical verification test could not be considered.

9.Accordingly, this Writ petition is dismissed. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1.The Chairman

Tamil Nadu Uniformed Service Recruitment Board
807, 2nd Floor, Anna Salai
Chennai 600 002.

2.The Chairman/Sub Committee

Tamil Nadu Uniformed Service Recruitment Board
Egmore, Chennai -8.

3.The Superintendent of Police

Tuticorin District.

+1CC to Mr.P.Subbaraj, Advocate, SR.No.82372

+1CC to the Special Government Pleader SR.No.83116

W.P(MD)No.18351 of 2018 and
W.M.P(MD) .No.17011 of 2018
05.09.2018

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