



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.09.2018

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.20197 of 2018

Sarojini Ammavasai

... Petitioner

-vs-

1. The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Egmore, Chennai-600 008..

2. The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Chennai-600 008.

3. The Superintendent of Police,
Dindigul District,
Dindigul.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to issue hall ticket to the petitioner (Enrollment No.7601024) for participate in the physical measurement test for the post of Police Constable, Jail Warden and Firemen, 2018 in the Tamil Nadu Police Department, under destitute widow quota.

For Petitioner : Ms.K.M.Priscilla Jancy

For Respondents : Mr.K.Chellapandian
Addl. Advocate General
Assisted by Mr.A.K.Baskara Pandian
Spl.Govt.Pleader

O R D E R

This petition has been filed, seeking to direct the respondents to issue hall ticket to the petitioner (Enrollment No.7601024) so as to enable her to participate in the physical measurement test for the post of Police Constable, Jail Warden and Firemen, 2018 in the Tamil Nadu Police Department under destitute widow quota..

Brief Facts:

<https://hcservices.ecourts.gov.in/hcservices/>

2. The case of the petitioner is that she belongs to Scheduled Caste (Aadhi Thiravidar) community and has completed



B.Com. Degree course. She, pursuant to the notification dated 28.12.2017, has applied for the post of Grade II Police Constables (Men) / Grade II Jail Warders (Men) / Firemen for the year 2017-2018;

2.1. When she was waiting for the hall ticket so as to participate in the selection process, her enrollment number was not found place in the provisional selection list. On enquiry with the 1st respondent Office, she came to know that she had enclosed only the widow certificate and she had not enclosed the certificate to prove that she is a destitute widow;

2.2. Since she was not issued any hall ticket, she sent a representation dated 19.09.2018 to the respondents, seeking permission to attend the selection process. As her representation did not evoke any response so far, she is before this Court with the relief stated supra.

3. Learned counsel for the petitioner has strenuously contended that the petitioner has been let down by her family members and there was nobody to take care of her and her children. She has further contended that the petitioner is prepared to produce the destitute widow certificate at the time of certificate verification without fail and the refusal on the part of the respondents citing non production of the destitute widow certificate would deprive her livelihood as well as her rights. Hence, it is prayed that suitable direction may be issued to the respondents for granting permission to her to participate in the selection process.

4. Per contra, learned Additional Advocate General appearing for the respondents would submit that it is mandatory on the part of the petitioner to produce the destitute widow certificate, when she has applied for the post under the said quota. There were several rejections by the respondents on the ground of non production of required certificates and if the petitioner is permitted to participate in the selection process without required certificate, it will create a bad precedent to others, who would also approach this Court for consideration even without producing requisite documents. Therefore, it is prayed that this petition is devoid of merits and the same is liable to be dismissed.

5. Heard the learned counsel for the petitioner and also the Additional Advocate General appearing for the respondents. This Court also perused the material documents available on record.

<https://hcservices.ecourts.gov.in/hcservices/> It is seen that the petitioner had applied for the post under destitute widow quota, but however, failed to attach



certificate in proof thereof. Though the said certificate is mandatory to claim reservation, she has merely produced a widow certificate in lieu of destitute widow certificate. As rightly stated by the learned additional Advocate General, if the petitioner is permitted to attend the test without requisite document, it will certainly amount to discrimination, as there were several other candidates, whose candidatures stood rejected for want of relevant documents. Further, such course of adoption would pave way to opening of Pandora's box, which may result in bringing the entire selection process to a standstill.

7. In view of the foregoing discussions, this Court is of the view that there is no merit in this writ petition. Accordingly, the same is dismissed as devoid of merits. However, if the petitioner is otherwise eligible to participate under Women category, the respondents shall not deprive her rights to participate in the selection process by merely quoting this order. No costs.

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS-III)

To

- 1.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Egmore, Chennai-600 008..
- 2.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Chennai-600 008.
- 3.The Superintendent of Police,
Dindigul District,
Dindigul.

AR

BU/RP/SAR-III:01.11.2018 : 3P/4C

W.P. (MD) No.20197 of 2018
27.09.2018