

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.02.2019

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.26225 of 2009

R.Venkatachalapathi

.. Petitioner

Vs

1.The Secretary to Government,
Home (Police IV) Department,
Fort St. George,
Chennai - 9.

2.The Director General of Police,
Chairman, TN Uniformed Services,
Recruitment Board,
Anna Salai, Chennai - 2.

3.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 4.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the second respondent to award full marks for the disputed questions to the petitioner and select and appoint the petitioner as Sub-Inspector of Police under Departmental Candidates adopting 20% quota and fix appropriate place in the selection and grant all consequential service and monetary benefits.

For petitioner : Mr.M.Muthappan

For Respondents : Mr.N.Srinivasan, AGP

ORDER

The petitioner, who is serving as Head Constable in the District Crime Branch, Dindugal, has filed this writ petition seeking a direction to the second respondent / the Director General of Police, T.N.Uniformed Services, Recruitment Board, Chennai, to award him full marks for the disputed questions and appoint him as Sub-Inspector of Police under the Departmental Candidates adopting 20% quota.

2. When the matter is taken up, Mr.M.Muthappan, learned counsel appearing for the petitioner fairly submitted that although a similar prayer was allowed awarding full marks to the disputed questions to the similarly placed persons, on appeal filed by the respondents/Recruitment Board, the Hon'ble Division Bench of this Court, vide its judgment dated 23.12.2010 passed in W.A.No.1719 of 2010, etc. (batch), reversed the order passed by the learned Single Judge. Relevant portion of the said judgment is extracted below:-

"Hence, petitioners who approached the Court for the first time are definitely "fence sitters". In view of that the writ petitions filed by those petitioners who approached the Court for the first time in 2009 are dismissed on the ground of delay".

3. In view of the above, nothing survives for further adjudication, therefore, the writ petition fails and the same is dismissed. No Costs. M.P.No.1 of 2009 is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

- 1.The Secretary to Government,
Home (Police IV) Department,
Fort St. George,
Chennai - 9.
- 2.The Director General of Police,
Chairman, TN Uniformed Services,
Recruitment Board,
Anna Salai, Chennai - 2.
- 3.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 4.

+1cc to Government Pleader sr.no.14153

W.P.No.26225 of 2009

ks(co)
nr 19/03/2019