

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :22.03.2019

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.7753 of 2019
and
W.M.P.No.8393 of 2019

S.Arunachalam

..Petitioner

vs

1. The Principal Chief Security Commissioner,
Railway Protection Force
Southern Railway
Moore Market Complex,
Chennai - 600 003.

2. Government of India,
Represented by Secretary,
Ministry of Railway
(Railway Board)
Rail Bhavan, New Delhi

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 1st respondent to accept the application dated 11.03.2019 filed by the petitioner in the prescribed format, complete in all respects and process the said application on merits and permit the petitioner to participate in the selection process for the post of Sub Inspector Protection Force (SIPF) / Kennel / Ex-cadre for the year 2018 pursuant to the proceedings dated 05.10.2018 having Ref.No.X/37/Kennel/Staff matter issued by the 1st respondent for the selection for the post of SIPF/Kennel (ex-cadre) Southern Railway RPF Kennels (including ICF (Kennel) to fill 6 existing vacancies in the post of Sub Inspector Protection Force (SIPF).

For Petitioner : M/s. Uma.C

O R D E R

The relief sought for in the present writ petition is for a direction to direct the 1st respondent to accept the application dated 11.03.2019 filed by the petitioner in the prescribed format, complete in all respects and process the said

application on merits and permit the petitioner to participate in the selection process for the post of Sub Inspector Protection Force (SIPF) / Kennel / Ex-cadre for the year 2018 pursuant to the proceedings dated 05.10.2018 having Ref.No.X/37/Kennel/Staff matter issued by the 1st respondent for the selection for the post of SIPF/Kennel (ex-cadre) Southern Railway RPF Kennels (including ICF (Kennel) to fill 6 existing vacancies in the post of Sub Inspector Protection Force (SIPF).

2.The writ petitioner is now serving as Head Constable(Dog Squad). He is eligible to the Post of Sub Inspector Protection Force(SIPF). The respondents invited applications in the prescribed format for the purpose of conducting selection to the Post of Sub Inspector / Kennel over Southern Railway RPF Kennels(inlcuding ICF/Kennal) in proceedings dated 05.10.2018. The Notification categorically enumerates that the last date of submission of application in the prescribed format was on or before 06.11.2018.

3.It is clearly stated that application submitted after 05.11.2018 will not be entertained.

4.Admittedly, the writ petitioner had submitted his application on 11.03.2019, after a lapse of about four months from the last date prescribed in the Notification.

5.If such application submitted belatedly is entertained, the same will open the Pandora's Box and many such other persons, who had not submitted the application within the time limit prescribed, will also claim the same benefit and the sanctity of the fixation of last date will be defeated. Once a Notification is issued by the competent authority, the terms and conditions as stipulated in the Notification must be followed scrupulously and without any deviation.

6.This being the principles to be followed, there is no infirmity as such in respect of the decision taken by the respondents to reject the application of the writ petitioner in limini.

7.In the present case, the writ petitioner himself admitted that he submitted an application on 11.03.2019 and the last date stipulated in the Notification was 06.11.2018.

8.This being the factum of the case, the writ petitioner has not established even a semblance of legal right, nor a prima facie case to entertain the writ petition.

9.Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Connected W.M.P.No.8393/2019 is closed.

Sd/-
Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Chief Security Commissioner,
Railway Protection Force
Southern Railway
Moore Market Complex,
Chennai - 600 003.
2. The Secretary,
Government of India,
Ministry of Railway
(Railway Board)
Rail Bhavan, New Delhi

+1 cc to Ms.C.Uma, Advocate, S.R.No.28164

+1 cc to Mr.P.T.Ramkumar, Advocate, S.R.No.27662

CP(CO)
SSM(15/04/2019).

W.P.No.7753 of 2019

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