



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.11.2019

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.21136 of 2019

&

W.M.P.Nos.20335 & 20336 of 2019

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..Petitioner

vs

1.The Principal Secretary to Government
Youth Welfare and Sports Development Department
Namakkal Kavignar Maaligai,
Fort St. George, Chennai 600 009.

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

3.The Member Secretary,
Sports Development Authority of Tamil Nadu,
116-A, Periyar EVR High Road,
Nehru Park, Chennai - 600 084.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the notification vide advertisement bearing No.2/2019 dated 08.03.2019 issued by the 2nd respondent Tamil Nadu Uniformed Services Recruitment Board, Chennai - 600 008 and quash the same in so far as not including the Silambam as one of the Sports discipline in the Sports Category and provide 3% reservation as contemplated under G.O.(Ms).No.6 Youth Welfare and Sports Development (S1) Department dated 20.02.2019 issued by the 1st respondent herein and consequently direct the 2nd respondent to include the Silambam as one of the Sports discipline for selection to the sports category and consider the application of the petitioner under Sports category if otherwise eligible.

For Petitioner : Ms.S.Karthikeyini
For Mr.U.Karunakaran

For Respondents 1 & 2: Ms.M.Lalitha



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Government Advocate

For Respondent 3 : Mrs.Narmadha Sampath
Additional Advocate General

Assisted by
Mr.V.Kadhirvelu
Special Government Pleader

O R D E R

The prayer sought for in this Writ Petition is to call for the records relating to the notification vide advertisement bearing No.2/2019 dated 08.03.2019 issued by the 2nd respondent Tamil Nadu Uniformed Services Recruitment Board, Chennai - 600 008 and quash the same in so far as not including the Silambam as one of the Sports discipline in the Sports Category and provide 3% reservation as contemplated under G.O.(Ms).No.6 Youth Welfare and Sports Development (S1) Department dated 20.02.2019 issued by the 1st respondent herein and consequently direct the 2nd respondent to include the Silambam as one of the Sports discipline for selection to the sports category and consider the application of the petitioner under Sports category if otherwise eligible.

2. The Writ Petition has been filed challenging the notification bearing No.2/2019 dated 08.03.2019 issued by the 2nd respondent, The Tamil Nadu Uniformed Services Recruitment Board, Chennai for the post of Police Sub-Inspector (Taluk), Police Sub-Inspector (Armed force) and Police Sub-Inspector (Tamilnadu Special Force) on the ground that Silambam is not included as one of the Sports category as per G.O.Ms.No.6, dated 20.02.2019, issued by the Youth Welfare and Sports Development (S1) Department, the 1st respondent herein and consequently include Silambam as one of the Sports discipline for selection to the Sports category and consider the application of the petitioner under Sports category.

3. The learned counsel for the petitioner would submit that Silambam has been recognized as one of the Sports discipline in the State and National level. However, without considering the same, the 2nd respondent issued notification calling for an application for the direct recruitment to the post of Police Sub-Inspector (Taluk), Police Sub-Inspector (Armed Force) and Police Sub-Inspector (Tamilnadu Special Force) without including Silambam in Sports category, which is discriminatory one and liable to be quashed. The learned counsel for the petitioner would further submit that though the petitioner sought for larger relief, it would be suffice if a direction is issued to



the respondents to consider Silambam as one of the Sports discipline as per G.O.Ms.No.6, dated 20.02.2019, for the selection process by providing 3% quota.

4. Mrs.Narmadha Sampath, learned Additional Advocate General would reiterate paragraph Nos.5, 6, 7 and 9 of the counter affidavit which would read as follows:

"5.It is submitted that in G.O.Ms.No.6, Youth Welfare and Sports Development (S1) Department dated 20.02.2019, the Government have provided 3% reservation in selection for appointment of meritorious sports persons in recruitments of identified posts in Government / Public Sector undertakings. In this regard in the Annexure in G.O.Ms.No.6 in Sl.No.4 (ii) column No.3 (b) (vi) it has been stipulated that for the posts of Sub-Inspector of Police under Uniformed Services Recruitment Board, 10% quota already exists with a criteria for eligibility and methodology of appointment. The criteria for eligibility and methodology, as existing will be continued. Modifications required, if any, will be examined separately.

6.It further submitted that TNUSRB provides 10% reservation under the sports quota for candidates who produce Form-I or Form-II or Form-III for approved 15 games / sports for an event held within 5 years preceding the date of notification. The list of 15 approved games and sports is as detailed below:-

1.Basket Ball, 2.Football, 3.Hockey,
4.Volleyball, 5.Handball, 6.Kabbadi, 7.Wrestling,
8.Boxing, 9.Gymnastics, 10.Judo, 11.Weight lifting,
12.Aquatics(Swimming) 13.Athletics, 14.Equitation
(Horse riding) and 15.Rifle Shooting.

7.It is further submitted that parameter for selecting the 15 approved games under sports quota in recruitments conducted by the TNUSRB is as detailed below:-

a)As per G.O.Ms.No.1072, Home (Police V) Department, dated 18.07.1995 orders have been issued for considering induction of persons of outstanding ability in sports in the Police force and directed among other things as follows:-

i) Reservation to the extent of 10% will be made to outstanding sports persons who have represented the State at Senior or Junior levels or who have represented the University or those who have



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represented the country in official / International competitions in respect of direct recruitment to the following posts in the Police Department:

- a) Police Constable Grade-II
- b) Women Police Constable Grade-II
- c) Sub-Inspector of Police (Men)
- d) Sub-Inspector of Police (Women)
- e) Deputy Superintendent of Police (Cat - I)

9. It is further submitted that as per the letter of the Joint Director Intelligence Bureau (Ministry of Home Affairs) & Secretary, All India Police Sports Control Board, Government of India, New Delhi in Letter No. Police/(Sports)/9(10-4, dated 25.05.1999, the All India Police Sports Control Board conducts competition in the following events every year:

- 1. Basket Ball, 2. Football, 3. Hockey,
- 4. Volleyball, 5. Handball, 6. Kabbadi, 7. Wrestling,
- 8. Boxing, 9. Gymnastics, 10. Judo, 11. Weight lifting,
- 12. Aquatics (Swimming) 13. Athletics, 14. Equitation (Horse riding)."

5. The learned Additional Advocate General would further submit that as per letter of the Joint Director Intelligence Bureau (Ministry of Home Affairs) & Secretary, All India Police Sports Control Board, Government of India, New Delhi dated 25.05.1999, the All India Police Sports Control Board conducts competition in various sports every year. In the said list, Silambam is not included. However, the petitioner may make representation to the State Government as well as the Joint Director Intelligence Bureau (Ministry of Home Affairs) & Secretary, All India Police Sports Control Board, Government of India, New Delhi, to include Silambam as one of the Sports for consideration in Recruitment Board exams.

6. Heard the learned counsel for the petitioner and the learned Additional Advocate General for the respondents and perused the records.

7. The petitioner has come forward with a case that Silambam has not been included as one of the Sports in the Tamil Nadu Uniformed Services Recruitment Board exam, though the same is recognized as one of the National level Sports. However, the submissions made by the learned Additional Advocate General would reveal that All India Police Sports Control Board maintains a list for meritorious sportsman quota, in which Silambam was not included and the reservation is being given only for the sports mentioned in the said list.



8. Considering the facts and circumstances of the case, I am inclined to issue direction to the petitioner to make representation to the State Government as well as the Joint Director Intelligence Bureau (Ministry of Home Affairs) & Secretary, All India Police Sports Control Board, Government of India, New Delhi, for inclusion of Silambam as one of the Sports discipline for participation in the Selection process conducted by the Tamil Nadu Uniformed Services Recruitment Board. If such representation is being made, the State Government as well as the Joint Director Intelligence Bureau (Ministry of Home Affairs) & Secretary, All India Police Sports Control Board, Government of India, New Delhi, shall consider and pass appropriate orders on merits and in accordance with law, as expeditiously as possible.

9. With the above direction, the Writ Petition is disposed of. Consequently, connected Miscellaneous Petitions are also closed. No costs.

Sd/-

Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

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To

1.The Principal Secretary to Government
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2.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Egmore, Chennai 600 008.

3.The Member Secretary,
Sports Development Authority of Tamil Nadu,
116-A, Periyar EVR High Road,
Nehru Park, Chennai - 600 084.

4.The Joint Director Intelligence Bureau,
(Ministry of Home Affairs) & Secretary,
All India Police Sports Control Board,
Government of India, New Delhi.



5.The Joint Secretary ,
All India Police Sports Control Board,
Government of India, New Delhi.

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+1cc to Mr.U.Karunakaran, Advocate, S.R.No. 92612
+1cc to the Government Pleader, S.R.No. 93083

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