

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE Ms.JUSTICE P.T.ASHA

Writ Appeal No.2312 of 2019
and CMP.No.15237 of 2019

M.Jaishankar

...Appellant

-Vs-

1.The State of Tamil Nadu
Rep. by Principal Secretary
Home Department
Secretariat
Fort Sr.George
Chennai

2.The Tamil Nadu Uniformed Service
Recruitment Board
Rep. by its Member Secretary
Chairman
Pantheon Road
Egmore, Chennai-600 008

..Respondents

Prayer:- Writ Appeal filed Under Clause 15 of Letters Patent,
against the order dated 15.04.2019 made in W.P.No.11521 of 2019.

Prayer in WP.No.11521/2019 : Writ Petition filed under Article
226 of the Constitution of India praying to issue a Writ of
Mandamus, directing the respondent to accept the Degree
Certificate of the Petitioner for applying to the Post of
Sub-Inspector.

For Appellant : Mr.S.Gunaseelan
For Respondents : Mrs.A.SriJayanthi
Special Government Pleader.

JUDGMENT

(Judgment of the Court was made by K.K.SASIDHARAN,J.)

The appellant notwithstanding the notification issued by the
Tamil Nadu Uniformed Service Recruitment Board to the effect
that the applicant must hold a Bachelor's Degree obtained from
Institution/University by following 10+2+3 pattern and that the

qualification obtained through Open Universities without undergoing 10+2+3 pattern, will not be recognised, submitted application for appointment to the post of Sub Inspector of Police in the Tamil Nadu Police Service.

2. The Writ Petition filed for a Mandamus to accept the degree certificate was dismissed by the learned Single Judge. Feeling aggrieved, the appellant has come up with the intra court appeal.

3. We have heard the learned counsel for the appellant.

4. The documents available on record indicates that the appellant secured B.A. Degree through Open University system. The notification issued by the Uniformed Service Recruitment Board very clearly provided that those who have obtained Bachelor's degree through Open University without undergoing 10+2+3 pattern would not be eligible to apply. The case of the appellant would come within the covered cases relating to Open University Education. Even according to the appellant, he took degree only through Open University. There is no obligation on the part of the Tamil Nadu Uniformed Service Recruitment Board to accept the application of the appellant, notwithstanding his ineligibility. We are therefore of the view that the learned Single Judge was justified in dismissing the Writ Petition.

5. The intra court appeal is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Principal Secretary

Home Department, Secretariat, Fort Sr.George, Chennai.

2.The Member Secretary/Chairman, Tamil Nadu Uniformed Service Recruitment Board, Pantheon Road, Egmore, Chennai-600 008

+1 cc to M/s.S.Gunaseelan, Advocate Sr.No. 64768

AKM/12.09.19/2P- 4C /

W.A.No.2312 of 2019