

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.24986 of 2019

D. Surendran

..Petitioner

vs

1. The Chairman/Director General of Police,
Tamil Nadu Uniformed Services Recruitment Board,
Old COP office Campus, Pantheon Road,
Egmore, Chennai- 600 008.

2. The Member Secretary/Inspector General of Police
Tamil Nadu Uniformed Services Recruitment Board,
Old COP Office Campus, Pantheon Road,
Egmore, Chennai - 600 008.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other appropriate writ, or direction or order in the nature of writ directing the respondents to direct to follow the Tamil Nadu Government Reservation Policy in Schedule Caste- 18% (includes 3 % for Schedule Caste Arunthathiyars on preferential basis) since the 3rd and final stage of viva voce conducted by the respondents is in violation of the Government Order GO (Ms) No.61 Adi Dravidar and Tribal Welfare (TD2) Department Dated:29.5.2009 and GO(Ms)No.65 Personnel and Administrative Reforms (K) Department dated: 27.5.2009 in the Selection process for the post of Sub Inspector of Police 2015 at the 1:2 Ration and direct the respondents to conduct the 3rd stage and final stage of Viva voce for the petitioner for the post of Sub Inspector of police Recruitment 2015 and select the petitioner on merit basis and grant such further relief as this Hon'ble Court may deem fit.

For Petitioner : Mr. P. Srinivasa Kumar
For Respondents : Mr. V. Kadhirvelu,
Spl. Government Pleader

O R D E R

The petitioner filed this Writ Petition seeking direction or order in the nature of writ directing the respondents to direct to follow the Tamil Nadu Government Reservation Policy in

Schedule Caste- 18% (includes 3 % for Schedule Caste Arunthathiyars on preferential basis) since the 3rd and final stage of viva voce conducted by the respondents is in violation of the Government Order GO (Ms) No.61 Adi Dravidar and Tribal Welfare (TD2) Department Dated:29.5.2009 and GO(Ms)No.65 Personnel and Administrative Reforms (K) Department dated: 27.5.2009 in the Selection process for the post of Sub Inspector of Police 2015 at the 1:2 Ration and direct the respondents to conduct the 3rd stage and final stage of Viva voce for the petitioner for the post of Sub Inspector of police Recruitment 2015 and select the petitioner on merit basis and grant such further relief.

2. The learned counsel appearing for the petitioner would submit that though the issue sought for in the Writ Petition relates to direction to the respondents to conduct the third stage and final stage of viva voce, however it would be suffice to permit the petitioner to file a fresh representation before the second respondent with direction to the second respondent to consider and pass orders on the same.

3. The learned counsel for the respondents would submit that the total numbers of Scheduled Caste Arunthathiyars was 24. For these 24 vacancies, only 20 candidates alone were available. Therefore, the remaining 4 vacancies of SC(A), were filled up from S.C. Community as per G.O.Ms.No.61 dated 29.05.2019 and G.O.Ms.No.65, dated 27.05.2009. Thus, the total vacancies of S.C. And S.C(A) were properly filled up, following the above G.Os.

4. The second respondent has filed detailed counter, from which it is ascertained the surplus candidates selected from schedule caste were appropriately accommodated in the unfilled vacancies of SCA community. Considering the facts and circumstances of the case, I am not inclined to grant the relief as such, sought for in the Writ Petition. However, I am inclined to permit the petitioner to submit a fresh representation to the respondents within four (4) weeks from the date of receipt of a copy of this order and the respondents are directed, on receipt of such representation to dispose of the same as expeditiously as possible therefrom. With the above directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

mrn

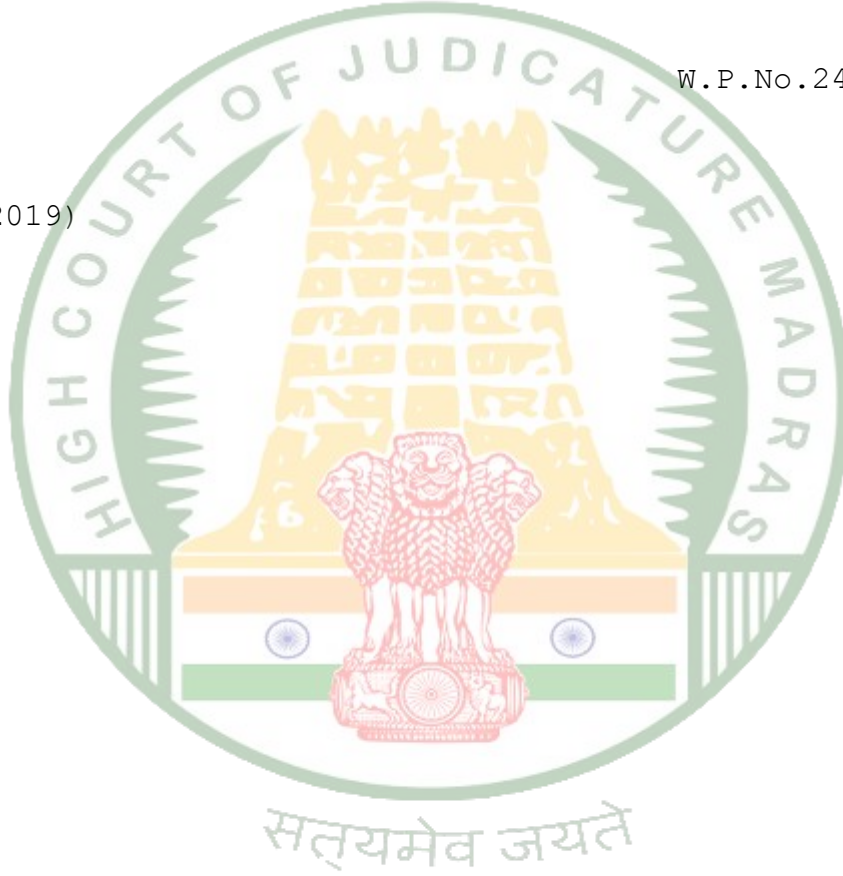
To

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MP (CO)
GN(11/12/2019)



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