

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.12.2019

CORAM :

THE HON'BLE MR.A.P.SAHI, THE CHIEF JUSTICE
AND
THE HON'BLE MR.JUSTICE SUBRAMONIUM PRASAD

W.A.NOS.4219 TO 4222 OF 2019
AND C.M.P.NOS.26279, 26283, 26284 AND 26287 OF 2019

1. The Chairman,
Tamil Nadu Uniformed Services
Recruitment Board, Old COP Office
Campus, Pantheon Road, Egmore,
Chennai 600 008.
 2. State of Tamil Nadu,
Rep. by its Secretary,
Dept. of Social Welfare, Secretariat,
Fort St. George, Chennai 600 009.
 3. State of Tamil Nadu,
Rep. by its Secretary,
Dept. of Labour and Employment,
Secretariat, Fort St. George,
Chennai 600 009. ... Appellants in all Was./
Respondents
- vs-
- Thenmozhi .. Respondent in WA.4219/19
Deepika .. Respondent in WA.4220/19
Saratha .. Respondent in WA.4221/19
Dhaarani .. Respondent in WA.4222/19

Appeals filed under Clause 15 of the Letters Patent against the orders dated 14.11.2019 and 20.11.2019 passed in W.M.P.Nos.31349, 31275, 31353 and 33007 of 2019 in W.P.Nos.15920, 15911, 16549 and 32618 of 2019 on the file of this Court.

W.M.P.No.31349 of 2019:-

To direct the respondent no.1 to permit the petitioner to participate in the Physical Measurement Test, Endurance Test and

Physical Efficiency Test (PMT, ET and PET) for the post of Grade II Police Constable (AR) which is scheduled to be held from 06.11.2019 pending disposal of the above writ petition.

W.M.P.No.31275 of 2019:-

It is prayed that pending the hearing and final disposal of the Writ Petition to direct the Respondent No.1 and permit the Petitioner to participate in the Physical Measurement Test Endurance Test and Physical Efficiency Test (PMT ET and PET) for the post of Grade II Police Constable (AR) which is scheduled to be held from 06.11.2019.

W.M.P.No.31353 of 2019:-

To direct the respondent No.1 to permit the petitioner to participate in the Physical Measurement Test, Endurance Test and Physical Efficiency Test (PMT ET and PET) for the post of Grade II Police Constable (AR) which is scheduled to be held from 06.11.2019, pending disposal of the above writ petition.

W.M.P.No.33007 of 2019:-

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to Direct the Respondent No.1 to permit the Petitioner to participate in the Physical Measurement Test, Endurance Test and Physical Efficiency Test (PMT ET and PET) for the post of Grade II Police Constable (AR) which is scheduled to be held on 21.11.2019 (in WMP.NO.33007 of 2019) in WP.No.32618 of 2019.

W.P.No.15920 of 2019:-

It is prayed that pending the hearing and final disposal of the Writ Petition this Hon'ble Court may be pleased to accept the application of the petitioner for the post of Grade II police Constable (AR) under Notification No.1 of 2019 dated 06.03.2019 and allow the petitioner to appear for the written examination that is to be conducted by the Respondent No.1 for the said post, and pass any other order in the interests of justice and equity.

W.P.No.15911 of 2019:-

It is prayed that pending the hearing and final disposal of the Writ Petition this Hon'ble Court may be pleased to accept the application of the petitioner for the post of Grade II

police Constable (AR) under Notification No.1 of 2019 dated 06.03.2019 and allow the petitioner to appear for the written examination that is to be conducted by the Respondent No.1 for the said post, and pass any other order in the interests of justice and equity.

W.P.No.16549 of 2019:-

It is prayed that pending the hearing and final disposal of the Writ Petition this Hon'ble Court may be pleased to accept the application of the petitioner for the post of Grade II police Constable (AR) under Notification No.1 of 2019 dated 06.03.2019 and allow the petitioner to appear for the written examination that is to be conducted by the Respondent No.1 for the said post, and pass any other order in the interests of justice and equity.

W.P.No.32618 of 2019:-

For the reason stated in the accompanying affidavit, it is prayed that this Hon'ble Court may be pleased to issue a Writ in the nature of Mandamus to direct the Respondent No.1 to issue a Corrigendum providing for relaxation of cut-off marks for transgender persons seeking to apply for the post of Grade II Police Constable has fixing the cut-off mark as 29 marks, similar to the relaxation in cut-off marks provided to other categories like Destitute Widows and pass any other order in the interests of justice and equity.

For Appellants : Mr.P.H.Aravindh Pandian
Addl. Adv. General,
assisted by Mr.V.Kadhirvelu,
Spl.G.P. (Edn.)

For Respondents in : M/s.Shloka Narayanan
WA.4219 to 4221/2019

For Respondent in : M/s.Chandini Pradeep Kumar
WA.4222/2019

COMMON JUDGMENT

(Delivered by The Hon'ble Chief Justice)

We have heard learned Additional Advocate General and in view of the orders passed by us today in W.A.No.4245 of 2019, no further orders are required to be passed in the present appeals, which will obviously be subject to the final outcome of the writ petitions.

The Writ Appeals, accordingly, stand consigned to records in the said terms. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

sra

To

1. The Chairman,
Tamil Nadu Uniformed Services
Recruitment Board, Old COP Office
Campus, Pantheon Road, Egmore,
Chennai 600 008.
2. The Secretary to Govt. of Tamil Nadu,
Dept. of Social Welfare, Secretariat,
Fort St. George, Chennai 600 009.
3. The Secretary to Govt. of Tamil Nadu,
Dept. of Labour and Employment,
Secretariat, Fort St. George,
Chennai 600 009.

+4ccs to the Government Pleader, S.R.No.102539 TO 102542

W.A.Nos.4219 to 4222 of 2019

CA(CO)
CS/07/01/2020

सत्यमेव जयते

WEB COPY