

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 26-04-2019
CORAM
THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM
W.P.No.28914 of 2018
And
W.M.P.No.33785 of 2018

Mr.M.Suresh Kumar

.. Petitioner

..Vs..

1.State of Tamil Nadu,
Represented by the Secretary to Government,
Home (Police) Department,
Fort St. George,
Chennai-600 009.

2.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Pantheon Road,
Egmore,
Chennai-600 008.

3.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai.

4.The Deputy Inspector General of Police,
Chairman/Sub-Committee,
Villupuram Range,
Villupuram.

5.The Superintendent of Police,
Member Sub-Committee,
Villupuram District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to award 0.5 marks as special marks for National Service Scheme (NSS) Certificate to the petitioner and allow him for medical test which is the next selection process.

For Petitioner : Mr.Krishnasamy Chinnasamy
For Respondents-1,3,4&5: Mr.A.N.Thambidurai,
Special Government Pleader.

For Respondent-2

: Mr.V.Kadhirvelu,
Special Government Pleader.

O R D E R

The relief sought for in the present writ petition is for a direction to direct the second respondent to award 0.5 marks as special marks for National Service Scheme (NSS) Certificate to the petitioner and allow him for medical test which is the next selection process.

2. The Recruitment Notification was issued by the second respondent for recruitment to the post of Grade-II Police Constable in Tamil Nadu Police Service.

3. The grievance of the writ petitioner is that he is eligible to get 0.50 as special marks for NSS Certificate forwarded to the competent authority.

4. The learned counsel for the writ petitioner states that though the writ petitioner had not sent the NSS Certificate along with the Online Application, the writ petitioner has produced the NSS Certificate at the time of Certificate Verification.

5. The writ petitioner admitted the fact that he had not submitted the NSS Certificate along with the Online Application as per the Recruitment Notification.

6. The fact remains that the writ petitioner submitted his NSS Certificate only at the time of Certificate Verification.

7. This Court is of the considered opinion that there cannot be any violation in respect of the terms and conditions stipulated in the Recruitment Notification.

8. Admittedly, the writ petitioner has stated 'No' in the column against the NSS Certificate in the Online Application. Such being the factum, the writ petitioner cannot thereafter submitted the NSS Certificate at the time of Certificate Verification and claim additional marks for the purpose of selection to the post of Grade-II Police Constable.

9. The Recruitment Notification now produced before this Court unambiguously states that the NSS Certificate, Sports/Games Certificates must be uploaded along with the Online Application and it is further stated in the condition that such Certificates submitted later on will not be accepted and no

marks will be awarded for production of such Certificates at the later point of time.

10. When the instructions are unambiguously provided that such instructions will not be accepted for the purpose of grant of marks, the candidates are bound by such terms and conditions and therefore, now the writ petitioner cannot file a writ petition and seek additional marks for the purpose of NSS Certificate. However, if at all the writ petitioner is eligible and qualified, he is at liberty to participate in the forthcoming Recruitment Notification, if any, issued by the Recruitment Board.

11. With the above observations, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

Svn

To

- 1.The Secretary to Government,
State of Tamil Nadu,
Home (Police) Department,
Fort St. George,
Chennai-600 009.
- 2.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
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Egmore,
Chennai-600 008.
- 3.The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore,
Chennai.

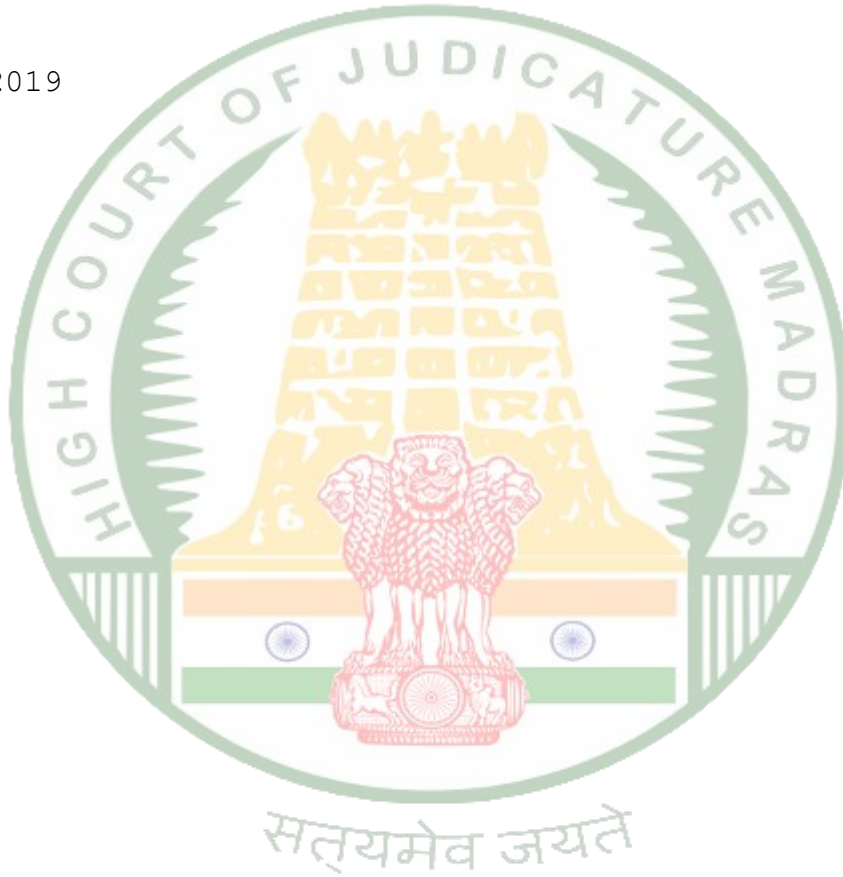
4.The Deputy Inspector General of Police,
Chairman/Sub-Committee,
Villupuram Range,
Villupuram.

5.The Superintendent of Police,
Member Sub-Committee,
Villupuram District.

+lcc to Government Pleader sr.41931

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nr 20/06/2019



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