



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.03.2019

CORAM:

THE HONOURABLE MR. JUSTICE N.KIRUBAKARAN

AND

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.A.(MD)No.108 of 2019

R.Rajesh

... Appellant/Petitioner

versus

1. Tamil Nadu Uniformed Services,
Recruitment Board,
Through its Chairman,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore, Chennai - 08.

2. The Superintendent of Police,
Pudukottai District. : Respondents/Respondents

PRAYER: Appeal filed under Clause 15 of Letters Patent Act, against the order dated 17.12.2018 passed by this Court in W.P.(MD) No.24312 of 2018.

Prayer in WP(MD) . 24312/ 2018 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue Writ of Mandamus directing the respondents to provide the special marks for NSS certificate as per notification No.217 dated 28.12.2017 of common recruitment of Grade -II, Police Constables, Grade-II Jail Warders and Firemen 2017-2018 and consequently direct the respondents to sent petitioner to medical test and appoint the petitioner as Grade - II Jail WArder within a time frame fixed by this Court.

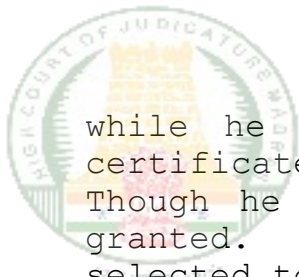
For Appellant : Mr.V.Manikandan
For Respondents : Mr.A.K.Baskara Pandian,
Special Government Pleader

JUDGMENT

[Judgment of the Court was made delivered by **N.KIRUBAKARAN, J.**]

This appeal has been preferred against the order dated 17.12.2018 passed by the learned Single Judge in W.P.(MD) No.24312 of 2018, rejecting the petitioner's prayer for a direction to select him to the post of Police Constable Grade-II / Jail Warders / Firemen in the competitive examination held by the Tamil Nadu Uniformed Services Recruitment Board in the year 2018.

2. The case of the appellant is that he applied for the post of Police Constable Grade-II / Jail Warders / Firemen and he was qualified in the competitive examination held by the Tamil Nadu Uniformed Services Recruitment Board in the year 2018, but, he was not selected. Therefore, he approached this Court contending that



while he was uploading the application, he also uploaded three certificates, which would enable him to get additional half mark. Though he produced all the three certificates, half mark was not granted. If half mark is granted to him, he would have been selected to the said post.

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3. However, the learned Single Judge was not inclined to accept the petitioner's contentions, by accepting the arguments of the learned Additional Government Pleader that even though the petitioner/appellant uploaded three certificates, during the time of certificate verification, he had not produced those certificates, therefore, half mark was not given. Therefore, the said writ petition filed by the petitioner/appellant was dismissed, against which, the present appeal has been filed.

4. Heard the learned counsel appearing for the appellant and Mr.A.K.Baskara Pandian, learned Special Government Pleader appearing for the respondents.

5. During the hearing, the learned Counsel appearing for the appellant produced three certificates issued by NSS (National Service Scheme), which was also verified by Mr.A.K.Baskara Pandian, learned Special Government Pleader. The learned counsel for the appellant submitted that if those certificates are taken into consideration, half mark has to be given to the appellant and in that event, the appellant is eligible for appointment.

6. When the matter is called today, it is also informed by the learned Special Government Pleader that 5310 candidates were already appointed and now, 228 vacancies are available.

7. In view of the above, production of three certificates would prove that the appellant is eligible to get half mark and he is entitled to get appointment. Accordingly, the order passed by the learned Single Judge is set aside and the Writ Appeal is allowed. There shall be a direction to the respondents to provide half mark to the appellant based on the documents which shall be produced by him at the time of certificate verification and thereafter, consider him for appointment. The said exercise shall be done within a period of three weeks from the date of receipt of a copy of this order. No costs.

8. Call the matter after three weeks for reporting compliance.

Sd/-

Assistant Registrar (CO)

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To

1. Tamil Nadu Uniformed Services,
Recruitment Board,
Through its Chairman,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore, Chennai - 08.

2. The Superintendent of Police,
Pudukottai District.

+2cc to Mr.V.MANIKANDAN, Advocate, SR.No.52170

+1cc to M/s.Special Government Pleader,SR.No. 51986

W.A. (MD) No.108 of 2019
05.03.2019

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