



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE **G.R.SWAMINATHAN**

W.P. (MD) No.9418 of 2019
and
W.M.P (MD) .No.7429 of 2019

Vijaya Ragavan

... Petitioner

Vs

Tamil Nadu Uniformed Services,
Recruitment Board,
rep., by its Member Secretary,
Chennai.

... Respondent

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondent to issue the application for the Direct Recruitment for the Post of Sub-Inspector of Police (Taluk, Armed Reserve (Men & Women/Transgender) & Tamil Nadu Special Police (Men) -2019 published vide notification No.2/2019 dated 08.03.2019 and permit the petitioner to participate in the selection process for the post of Sub-Inspector of Police(Taluk).

For Petitioner : Mr.R.J.Karthick

For Respondents : Mr.Chellapandian
Additional Advocate General
Assisted by Mrs.J.Padmavathidevi
Special Government Pleader

ORDER

Heard the learned counsel on either side.

2.The writ petitioner is presently working as a Head Constable in the Vigilance Wing. He wanted to take part in the Direct Recruitment process for being appointed as Sub-Inspector of Police. The respondent Board issued notification dated 08.03.2019. In the said notification, the age eligibility has been given as under:-

"Age Eligibility:

<https://hcservices.ecourts.gov.in/hcservices/>

The applicants should have attained the age of 20 and should not be aged above 28 years as on 01.07.2019. The upper

age limit relaxation is given to certain categories as follows:-

Category	Upper age limit
BC (Backward Class), BC (M), (Backward Class (Muslim)), MBC (Most Backward Class)/ DNC (De-notified Community)	30 yrs
SC, (Scheduled Castes), SC(A) (Scheduled Castes (Arunthathiyar)), ST, (Scheduled Tribes)	33 yrs
Destitute Widow	35 yrs
Ex-servicemen/Ex-personnel of Central Para-military Forces (Discharged from service within 3 years from the date of notification ie., must have been discharged on or after 08.03.2016)/ serving person who are going to retire within one year from the last date of receipt of online application.	45 yrs
Departmental candidates appearing for departmental quote examination	45 yrs

3.It is thus clear that the applicants should be not below 20 and not above 28 as on 01.07.2019. Of course relaxation can be given to certain categories as set out in the table above. Even after the relaxation, the applicants concerned should not have crossed the upper age limit as on 01.07.2019. The petitioner was born on 30.03.1974. He had crossed age of 45 as on 30.03.2019. The petitioner's contention is that as on the date of notification, ie., 08.03.2019, he had not crossed the age of 45 years. But then the date of reckoning will be not the date of notification ie., 08.03.2019 but 01.07.2019. The issue on hand is no longer *res-integra*. By order dated 25.04.2019 in W.P(MD).No.2982 and 8081 of 2013, a learned Judge of this Court held as follows:-

6(4) The Process of recruitment of Sub-Inspector of Police and Police Constables are being done by the respondent Board based on the requirement as directed by the Government. The notification for the Common Recruitment of Grade II Police Constable was issued on 23.01.2017 and hence, the cut-off date for calculating the age norms was fixed as 01.07.2017 as per the recruitment rule. Further, it order to avoid uncertainty in respect of maximum or minimum age of a candidate, which may arise if such age limit is linked to the process of selection which may take a uncertain time, it is desirable that such a cut-off date should be with reference to a fixed date always.



The process of selection namely the date of written examination has no correlation with the cut-off dated of 1st July. The cut-off date of 1st July will remain the same for every notification issued from 1st January to 31st December in a year by any of the recruiting agency in the Tamil Nadu State including Tamil Nadu Public Service Commission. "

4. Respectfully following the aforesaid decision, I hold the petitioner is not eligible to take part in the Recruitment process in question. I find no merit in this writ petition. Hence, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)

To

The Member Secretary,
Tamil Nadu Uniformed Services,
Recruitment Board,
Chennai.

+1 CC to M/s.R.J.KARTHICK, Advocate in SR-61460

W.P. (MD) No. 9418 of 2019
16.04.2019

rmk
PK/13.05.2019 : 3P/3C