

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.02.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.NO.4211 of 2020

and

WMP No.4976 of 2020

P. Seenu

... Petitioner

-Vs-

1. The Secretary
Staff Selection Commissioner
Block No.12, CGO Complex
Lodhi Road, New Delhi 110 003.
 2. The Deputy Secretary
Staff Selection Commission (Southern Region)
2nd floor, EVK Sampath Building,
DPI Campus, College Road, Chennai 6.
 3. The Director General
CRPF (Recruitment Branch)
East Block-07, Level-4, Sector-1,
R.K.Puram, New Delhi 110 066
 4. The Presiding Officer
Range Head quarters, CRPF Chennai
GC Avadi Centre, CRPF Tamil Nadu.
- ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ, Order or Direction in the nature of Certiorarified Mandamus calling for the impugned order of the 4th respondent dated 04.02.2020 and quash the same and consequently direct the respondents to permit the petitioner to rectify the mistake pertaining to the District of Domicile in the online application with the respondents 1 & 2.

For Petitioner : Mr.S.Viswanathan

For Respondents: Mr. T.I.Thirumalaisamy
Central Government Standing Counsel.

ORDER

On consent given by both sides, the main Writ Petition itself has been taken up for final hearing.

2. This Writ Petition has been filed challenging the proceedings of the 4th respondent dated 04.02.2020 rejecting the candidature of the petitioner on the ground that the petitioner did not produce any documents to support his domicile, which was claimed by the petitioner in the application as Kanchipuram and for a consequential direction to the respondents to rectify the mistakes in the application and to permit the petitioner to undergo the medical test.

3. The case of the petitioner is that the 1st respondent had issued a notification calling for applications to fill up the post of Constable (GD) in CAPFS, NIA, SSF and Rifleman (GD) in Assam Rifles examination, 2018. The petitioner had fulfilled all the qualifications that was prescribed under the notification and he was also permitted to write the written examination on-line. Thereafter, the petitioner also participated in the physical test conducted by the respondents. The petitioner succeeded both in the written examination as well as in the physical test. What remains is only the Medical test and the petitioner has to appear for the medical test. The 4th respondent had rejected the candidature of the petitioner only on the ground that the petitioner has not given the correct information under the column District of Domicile. The petitioner had mentioned it as Kanchipuram instead of Chennai.

4. Heard the counsel appearing on behalf of the petitioner and the learned Central Government Standing Counsel appearing on behalf of the respondents.

5. A similar issue came up before this Court on an earlier occasion in W.P. No.2410 of 2020 and this Court passed the following order on 07.02.2020.

"4. The learned Central Government Standing Counsel appearing on behalf of the respondents submitted that the petitioner has to necessarily correct the mistake in the application form, wherein he has wrongly given the District of Domicile as Madurai instead of Theni. The learned counsel submitted that if this correction is not done and in case, the petitioner is also cleared after the medical test, the petitioner will have problem throughout his service. Therefore, the

petitioner can be directed to carryout this correction and participate in the medical test.

5. In view of the specific stand taken by the respondents, the petitioner is directed to appear before the 4th respondent on 11.02.2020 and produce a copy of this order. The 4th respondent shall permit the petitioner to make necessary correction with regard to the domicile of the District. Thereafter, the petitioner shall be directed to the concerned officer for Medical test. If the respondents are satisfied with all the other requirements, they can proceed further with the selection of the petitioner in accordance with the notification."

6. The petitioner, by mistake, had given a wrong domicile by mentioning the District as Kanchipuram instead of Chennai. This mistake had occurred due to the fact the petitioner was originally at Kanchipuram District and thereafter, due to the extension of Chennai Corporation, the residential area of the petitioner also was included in Chennai District. This is a very minor mistake, which can be condoned considering the fact that the petitioner has cleared all the other tests.

7. In view of the above, the 4th respondent shall permit the petitioner to make necessary corrections with regard to the domicile of the District. Thereafter, the petitioner shall be directed to appear before the concerned officer for medical test. If the respondents are satisfied with all the other requirements, they can proceed further with the selection of the petitioner in accordance with the notification.

8. This Writ Petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

bga

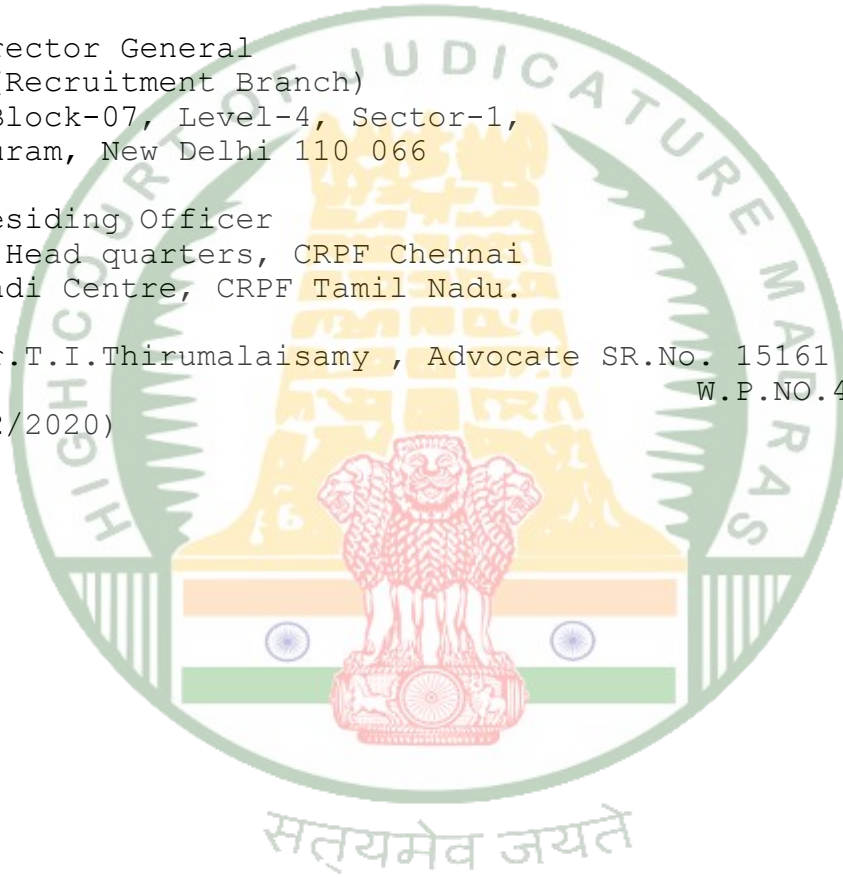
Copy to

1. The Secretary
Staff Selection Commissioner
Block No.12, CGO Complex
Lodhi Road, New Delhi 110 003.
2. The Deputy Secretary
Staff Selection Commission (Southern Region)
2nd floor, EVK Sampath Building,
DPI Campus, College Road, Chennai 6.
3. The Director General
CRPF (Recruitment Branch)
East Block-07, Level-4, Sector-1,
R.K.Puram, New Delhi 110 066
4. The Presiding Officer
Range Head quarters, CRPF Chennai
GC Avadi Centre, CRPF Tamil Nadu.

+1cc to Mr.T.I.Thirumalaisamy , Advocate SR.No. 15161

W.P.NO.4211 of 2020

A.SK(25/02/2020)



WEB COPY