

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2020

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

WP.No.4592 of 2020
and
WMP.No.5448 of 2020

M.Arul

.. Petitioner

- Vs -

1. The Chairman,
Staff Selection Commission,
Block 12, CGO Complex,
Lodhi Road, New Delhi-110 003.
2. The Commandant CRPF,
77BN, Head Quarters,
Avadi Chennai,
Tamil Nadu-600 054.
3. The Presiding Officer,
Range Head Quarters/CRPF,
GC Avadi Centre,
CRPF, Avadi Chennai,
Tamil Nadu-600 054.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, to call for the records of the 3rd respondent made in rejection slip (candidates copy) vide Annexure-B1 dated 06.02.2020 and quash the same and consequently direct the respondents to consider the candidature of the petitioner for appointment to the post of Constable GD/through common recruitment of CAPFs for the year 2018.

For Petitioner : Mr.N.Umapathi

For Respondents : Mr.K.Raju

Central Government Standing Counsel

O R D E R

On the consent given by both sides, the main writ petition has been taken up for final hearing at the admission stage itself.

2. This writ petition has been filed challenging the impugned proceedings of the third respondent dated 06.02.2020 rejecting the candidature of the petitioner.

3. The case of the petitioner is that the first respondent had issued a notification on 21.07.2018 inviting applications for recruitment to the posts of Constable (General duty) in Central Armed Police Forces (CAPFs), Border Security Force (BSF) Central Industrial Security Forces (CISF) CRPF, ITBP, SSB NIA, SSF and Rickman (GDD). The petitioner had submitted his application and participated in the selection. The petitioner was allowed to take the written examination and he qualified the same and thereafter, the petitioner was called for Physical Standard Test (PST) and Physical Efficiency Test on 23.08.2019. The petitioner qualified in the said Test also. Thereafter, the petitioner was called for certificate verification. During Certificate verification, it was found that the petitioner had mentioned his District of Domicile as Dharmapuri in the application. However, during verification, it was found that the petitioner had his Domicile District as Krishnagiri and there was no supporting document to prove that he is a resident of Dharmapuri. On this ground, the candidature of the petitioner has been rejected.

4. Heard Mr.N.Umapathi, learned counsel appearing on behalf of the petitioner and Mr.K.Raju, learned Central Government Standing Counsel appearing on behalf of the respondents.

5. This Court already had an occasion to consider a similar plea of this nature in WP.No.2410 of 2020 on 07.02.2020. The facts of the present case is also squarely covered by the above order.

6. In the present case, the place, where the petitioner was residing, earlier fell within the jurisdiction of Dharmapuri District. Thereafter, it came within the limits of Krishnagiri District. Therefore, by oversight, the petitioner had mentioned the District of Domicile as Dharmapuri instead of Krishnagiri. This bona fide mistake requires to be corrected and the petitioner must be permitted to participate in the Medical Test after carrying out this correction in the application. This correction has to be carried out since even after the selection, the petitioner will encounter the same problem during his service.

7. In view of the above, the impugned rejection letter issued by the third respondent is hereby quashed and there shall be a direction to the third respondent to permit the petitioner to make necessary correction in the application and thereafter,

the petitioner shall be permitted to undergo the Medical Test. If the petitioner is found to be eligible, his candidature can be considered for appointment.

8. This writ petition is accordingly allowed with the above directions. No costs. Consequently, connected miscellaneous petition is also closed.

s/d-
Assistant Registrar(CS VII)

True Copy

Sub-Assistant Registrar

To

1. The Chairman,
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GC Avadi Centre,
CRPF, Avadi Chennai,
Tamil Nadu-600 054.
- +1 CC to Mr.K.Raju, CGSC sr 15560.
+1 CC to Mr.N.Umapathi, Advocate sr 16013.

WP.No.4592 of 2020

NM(CO)
SP(26/02/2020)

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