



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2020

CORAM:

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

W.P.(MD) No.2959 of 2020 and

WMP(MD) No.2497 of 2020

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C.Sowmiya

...Petitioner

Vs

1. The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore,
Chennai - 600 008.

2. The Chairman,
Recruitment Sub-Committee,
Tamil Nadu Uniformed Services Recruitment Board,
Madurai Centre,
Madurai.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus to direct the respondents to allow the petitioner to participate in the further selection process for the post of Grade-II Constable, Grade II Jail Warders and Firemen in the Tamil Nadu Uniformed Services Recruitment Board 2019.

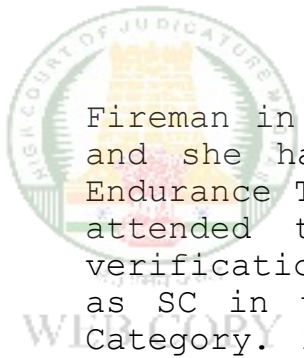
For Petitioner : Mr.R.Venkatesan
For Respondents : Mr.K.Chellapandian,
Additional Advocate General,
Assisted by
Mr.K.Mu.Muthu,
Additional Government Pleader.

O R D E R

This Writ Petition is filed to direct the respondents to allow the petitioner to participate in the further selection process for the post of Grade-II Constable, Grade II Jail Warders and Firemen in the Tamil Nadu Uniformed Services Recruitment Board 2019.

2. Mr.K.Chellapandian, Additional Advocate General, assisted by Mr.K.Mu.Muthu, Additional Government Pleader takes notice for the respondents. By consent of both parties, this Writ Petition is taken up for final hearing at the stage of admission itself.

3. The case of the petitioner is that she had applied for the post of Grade II Police Constable, Grade II Jail Warder and



Fireman in the Tamil Nadu Uniformed Services Recruitment Board 2019 and she has completed written test, Physical measurement test, Endurance Test and physical Efficiency test and finally she has also attended the certificate verification. At the time of police verification, the community status of the petitioner was mentioned as SC in the Certificate verification, whereas she belongs to BC Category. Hence, the petitioner has made her representation dated 13.01.2020 to the 1st respondent to rectify the communal category as BC. Without considering the same, the first respondent had published the result stating the cut off marks for backward class is 49. Though the petitioner has secured 49 marks, her number was not found place in the selection list. Hence, the petitioner has made representation to the first respondent on 11.02.2020. As no steps have been taken by the respondents, the petitioner has come up with this present Writ Petition.

4. The learned Additional Government Pleader submitted that non selection of the petitioner is in accordance with the notification issued by the TNUSRB in para No.XXI and in the information brochure in Para No.19 (a), final provisional selection list which clearly specifies as follows:

Para No.19(a) Final provisional selection list

- i. Provisional Select List is drawn based on the total marks obtained in the Written examination, Physical Efficiency Test, Viva-Voce and Special marks subject to communal reservation and total vacancies.
- ii. If there is a tie in marks, the candidate senior in age shall be given priority in selection.
- iii. If the marks secured are equal, preference shall be given to the candidate who is an outstanding scout, having received an award from the President of India.
- iv. 20% of all vacancies shall be set apart on preferential basis for the persons who studied graduation in Tamil Medium."

Further, it is submitted that the entire recruitment process including the communal rotation system and other reservation systems are strictly followed in accordance with the relevant provisions of Tamil Nadu Government Servants (Conditions of Service) Act, 2016. It is further clarified that though the petitioner has secured the eligible cut off marks (49 marks) under the BC category, she was not selected for the reason that the selection process has been done based on seniority.

5. It is an admitted fact that the petitioner has secured 49 marks under the category of BC. It is revealed from the submissions made by the respondents that considering the seniority, the petitioner has not been selected, which in my opinion is not arbitrary/violation. Hence, I do not find any infirmity in the non-selection of the petitioner by the Board.



6. In view of the above, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (Reocrds)

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Sub Assistant Registrar(CS)

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To

1. The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore,
Chennai - 600 008.

2. The Chairman,
Recruitment Sub-Committee,
Tamil Nadu Uniformed Services Recruitment Board,
Madurai Centre,
Madurai.

+1 CC to M/s.SPL.GP (SR-12478[F] dated 19/03/2020)

+1 CC to M/s.R.VENKATESAN, Advocate (SR-12536[F] dated 19/03/2020)

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KB(10.07.2020) 3P 5C