



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2020

CORAM:

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

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W.P. (MD) No.4853 of 2020

and

W.M.P (MD) .No.4221 of 2020

P.Yuvaraj

... Petitioner

vs.

1.The Secretary

Staff Selection Commission

Block No.12, CGO Complex

Lodhi Road, New Delhi 110 003

2.The Deputy Secretary

Staff Selection Commission

(Southern Region)

2nd Floor, E.V.K.Sampath Building

DPI Campus, College Road

Chennai 600 006

3.The Director General

CRPF (Recruitment Branch)

East Block -07 Level - 4

Sector 01, R.K.Puram

New Delhi 110 006

4.The Deputy Inspector General

(Recruitment)

ITBP, Sivagangai

RTC Sivagangai ITBP

Iluppaikudi Village

Padampathur Post

Sivagangai District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Certiorarified Mandamus, to call for the records of the impugned order of the 4th respondent dated 04.02.2020 and consequential impugned order of the 2nd respondent in No.4/1/2018-SR, dated 18.02.2020 and quash the same as illegal and consequently direct the respondents to select and appoint the petitioner with Roll Number 8204023918 as per his merit pursuant to the notification for common recruitment of CAPFs for the post of Constables through common recruitment of CAPFs for the year 2018 in Notification in " Constables (GD) in Central Armed Police Forces (CAPFs), NIA & SSF and Rifleman (GD) in Assam Rifles (AR) Examination, 2018.

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



For Petitioner : Mr.M.Kannan
For Respondents : Mr.V.Kathirvelu
Senior Counsel

O R D E R

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The above Writ petition has been filed to call for the records of the impugned order of the 4th respondent dated 04.02.2020 and consequential impugned order of the 2nd respondent in No.4/1/2018-SR, dated 18.02.2020 and quash the same as illegal and consequently direct the respondents to select and appoint the petitioner with Roll Number 8204023918 as per his merit pursuant to the notification for common recruitment of CAPFs for the post of Constables through common recruitment of CAPFs for the year 2018 in Notification in " Constables (GD) in Central Armed Police Forces (CAPFs), NIA & SSF and Rifleman (GD) in Assam Rifles (AR) Examination, 2018 .

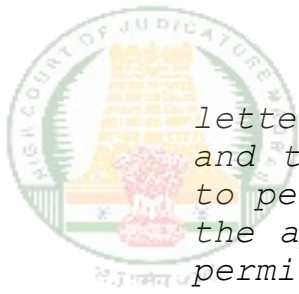
2.By consent of both parties, this Writ petition is taken up for final disposal at the stage of admission itself.

3.The case of the petitioner is that, the first respondent issued notification dated 21.07.2018 calling for applications to fill up the post of Constables (GD) in Central Armed Police Forces (CAPFs), NIA & SSF and Rifleman (GD) in Assam Rifles (AR) Examination, 2018. The petitioner has fully qualified for the above said recruitment and participated in the selection. He was successful in the written examination, physical test and medical examination. In these circumstances, the second respondent passed an impugned order, dated 18.02.2020 stating that the candidature was rejected due to the mistake of Domicile District as Virudhunagar instead of Thoothukudi District. Aggrieved over the same, the petitioner is before this Court.

4.The learned counsel for the petitioner would rely on the order of this Court in W.P.No.4592 of 2020, dated 24.02.2020, in which, paragraph Nos. 6 and 7 read as follows:

"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".

5.The above case is squarely applicable to the facts of the present case. In the above Writ petition, the petitioner therein was permitted to undergo the Medical test. But, in the case on hand, the petitioner had done through successfully in all the stages of selection and prays for issuance of an appointment order.

6.In view of the above, the respondents are directed to permit the petitioner to make necessary correction in the application and give appointment to the petitioner, if everything is in order.

7.With the above direction, this Writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

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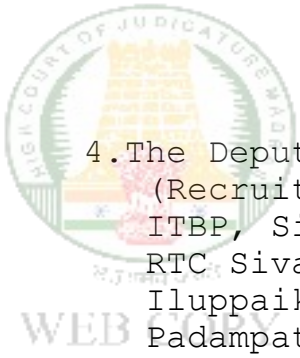
Sub Assistant Registrar(CS)

msa

To

- 1.The Secretary
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- 2.The Deputy Secretary
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4.The Deputy Inspector General
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Sivagangai District

+1 CC to Mr.S.PON SENTHIL KUMARAN, Advocate (SR-10378[F] dated
06/03/2020)

+1 CC to Mr.M.KANNAN, Advocate (SR-10392[F] dated 06/03/2020)

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