



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 05.10.2020

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THE HON'BLE Mr. JUSTICE N.KIRUBAKARAN
AND
THE HON'BLE Mr. JUSTICE B.PUGALENDHI

W.A. (MD)No.865 of 2020

and

C.M.P. (MD)Nos.4792 and 4934 of 2020
against in WP.No.(MD).No.7854 OF 2020

S.Ashokkumar

.. Appellant/Petitioner

Vs.

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

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

.. Respondents/Respondents

Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 17.08.2020, made in W.P. (MD)No.7854 of 2020.

Prayer in WP(MD). 7854/ 2020 :

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus calling for the records of the respondents in respect of the notification under the proceedings No. 02/TNUSRB/ 2019 dated 08.03.2019 for the direct recruitment for the posts of Sub-Inspector of Police (Taluk, Armed Reserve and Tamilnadu Special Police) 2019 and consequential provisional list published by the respondents under their proceedings bearing R.C.No. 860/R2/TNUSRB/2019 dated 16.03.2020 as null and void, illegal, unsustainable and consequently directing the respondents to issue fresh notification for the post of Direct Recruitment of Sub-Inspector of Police (Taluk, Armed Reserve and Tamilnadu Special Police) within a period of time as may be fixed by this Court.



For Appellant

: Mr.M.Ponniah

For Respondents

: Mr.K.Chellapandian
Additional Advocate General
Assisted by
Mr.M.Muthugeethaiyan
Special Government Pleader

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JUDGMENT

(Judgment of the Court was made by B.PUGALENDHI, J.)

This Writ Appeal has been filed against the order dated 17.08.2020, made in W.P.(MD)No.7854 of 2020.

2.Pursuant to the order passed by this Court dated 17.08.2020, in W.P.(MD)Nos.7599, 7854 and 8065 of 2020, a Committee has been formed by the Tamil Nadu Uniformed Services Recruitment Board and the said Committee is looking into the allegations made by the appellant.

3.Though the Writ Appeal has been filed seeking to set aside the order dated 17.08.2020, the learned counsel for the appellant confines his prayer for modification of the said order, if the Department has come forward to conduct an enquiry by appointing a High Level Committee, which has also been constituted and a report has to be submitted within three months. If any appointment is made in the interregnum period, it would affect the interest of the appellant and the very purpose will be frustrated and therefore, he sought for modification of the earlier order that if any appointment is made, the same shall be subject to the outcome of the enquiry.

4.The learned Additional Advocate General appearing for the respondents submitted that only based on the consent given by the parties, this Court passed the order dated 17.08.2020 in W.P.(MD) Nos.7599, 7854 and 8065 of 2020, and the learned Additional Advocate General has also produced the proceedings of the Chairman, TNUSRB, Chennai, in which, an Expert Committee has been constituted to enquire into the allegations about the recruitment of Sub-Inpsector of Police - 2019

5.The learned Additional Advocate General undertakes that the enquiry will be conducted by the Committee. In view of the same, the recruitment process is allowed to proceed. However, no final selection order will be published and no appointment order will be issued till the enquiry process is over and the report is published. The selection list would be subject to outcome of the enquiry.



6. Recording the abovesaid submission, this Writ Appeal is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

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Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

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Note :- In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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NR (15/10/2020) 3P : 3C