



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :11.12.2020

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THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

W.P. (MD) No.18108 of 2020

R.Rahul

...Petitioner

Vs

1.Tamilnadu Uniformed Services Recruitment Board,
represented by its Chairman,
Old Commissioner of Police Office Campus,
Pantheon Road,
Egmore,
Chennai 600 008.

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

3.The Commissioner of Police,
Madurai City,
Madurai.

4.The Superintendent of Police,
Madurai District, Madurai.

5.The Inspector of Police,
Thideer Nagar Police Station,
Madurai City.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents herein to permit the petitioner to attend the written examination, which is scheduled to be held on 13.12.2020 to the Common Recruitment for the post of Grade II Police Constable, Grade II Jail warder and Fireman 2020 called for by the 2nd respondent herein through Notification, dated 17.09.2020 in Advertisement No.1/2020 by issuing necessary hall ticket to the petitioner.

For Petitioner : Mr.A.Saravanan

For Respondents : Mr.K.Chellapandian
Additional Advocate General assisted by
Mr.K.Mu.Muthu
Additional Government Pleader



ORDER

This Writ Petition is filed to direct the respondents to permit the petitioner to attend the written examination, which is scheduled to be held on 13.12.2020 to the common recruitment for the post of Grade II Police Constable, Grade II Jail warder and Fireman 2020, called for by the 2nd respondent through Notification, dated 17.09.2020 in Advertisement No.1/2020, by issuing necessary hall ticket to the petitioner.

2.The learned counsel appearing for the petitioner would submit that the 2nd respondent issued a notification in advertisement No.1/2020, calling for applications from the eligible candidates for selection to the posts of Police Constable Grade-II, Jail Warder Grade-II and Fireman, 2020. In pursuant to the aforesaid notification, though the petitioner uploaded his application through online, the same was returned stating that the fee was not paid. However, according to the petitioner, fee was paid.

3.The learned counsel would further submit that though the respondents are taking necessary steps to conduct the written examination scheduled to be held on 13.12.2020 for selection to the aforesaid posts, the petitioner has not received the hall ticket till date. Hence, the present writ petition.

4.In an earlier occasion, the learned Additional Advocate General appearing for the respondents submitted that due to non-payment of fee, the petitioner's application has been rejected and therefore, no hall ticket has been issued to the petitioner.

5.For the aforesaid submission, in an earlier occasion, the learned counsel appearing for the petitioner submitted that necessary fee was paid by the petitioner and in this regard, the learned counsel sought time to produce the proof, if the same is available with the petitioner.

6.Today, the learned counsel appearing for the petitioner has produced a document relating to payment of examination fee.

7.The learned Additional Advocate General would submit that the petitioner paid the examination fee of Rs.130/- through a computer centre on 26.09.2020, whereas, in the representation sent by the petitioner's mother to the Legal Service Authority attached to this bench, it had been stated that fee was paid on 24.09.2020. The petitioner has not mentioned anything about the wrong date of payment of fee and hence, the learned Additional Advocate General submitted that the writ petition is ought to be dismissed.

8.Heard the learned counsel on either side and perused the materials available on record.



9. On a perusal of the papers, it appears that while uploading the application on 24.09.2020, the petitioner has not remitted any amount as fee. However, in order to prove that the petitioner paid the fee for a sum of Rs.130/-, the learned counsel has produced the document and upon perusal of the same, it appears that the petitioner has not paid the fee amount on 24.09.2020.

10. Though the learned counsel appearing for the petitioner would contend that the date has been wrongly mentioned in the representation as 24.09.2020 instead of 26.09.2020, this Court is not inclined to accept the contention of the learned counsel, since there is no averment made with regard to the same in the affidavit filed in support of this petition. It is for the parties concerned to pay necessary fee in time, while uploading their applications. In the case on hand, the petitioner failed to make the payment in the right time and accordingly, his application was rejected on the ground of non-payment of fee.

11. In view of the foregoing discussions, I do not find any merit in this writ petition and accordingly, the same is dismissed as devoid of merits. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

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

1. Tamilnadu Uniformed Services Recruitment Board,
represented by its Chairman,
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Egmore,
Chennai 600 008.



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Madurai City.

+2cc to Mr.A.Saravanan, Advocate Sr.No.25338

W.P. (MD) No.18108 of 2020
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VB (06.01.2021) 4P 8C