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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.12.2021

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NOS.26456, 26460 & 26463 OF 2021

AND

WMP.NOS.27918, 27920 & 27921 OF 2021

Kalaivanan

..Petitioner in W.P.No.26456 of 2021

Theerthagiri

..Petitioner in W.P.No.26460 of 2021

Kathirvel.M.

..Petitioner in W.P.No.26463 of 2021

Vs.

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

..Respondent in all W.Ps.

Common Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to include the petitioner name under Sports Quota and consequently direct the respondent to call the petitioners for Medical Verification for the post of Fireman, GR II Jail Warden, GRII Police Constable for the year 2020-2021 within the time stipulated by this Court.

For petitioners : Mr.M.Vignesh
in all W.Ps.

For Respondents : Mr.P.Kumaresan,
in all W.Ps. Additional Advocate General
assisted by
Mr.G.Nanmaran,
Special Govt. Pleader



COMMON ORDER

The prayer sought for in the writ petitions is for a mandamus directing the respondents to include the petitioners name under Sports Quota and consequently direct the respondent to call the petitioners for Medical Verification for the post of Fireman, GR II Jail Warden, GRII Police Constable for the year 2020-2021 within the time stipulated by this Court.

2. Heard both sides and perused the documents available on record.

3. The learned counsel for the petitioners submitted that the writ petitioners herein have applied for the post of Fireman, Jail Warden, TSP, AR in the respondent Board for the academic year 2020-2021 and they appeared for the written examination which held on 13.1.2020. they were qualified in the said written examination and they were directed to attend physical examination on 02.08.2021. Though petitioners secured double star in all physical tests, their name was not listed in the provisional list under sports quota, which declared in the month of November 2021. The respondent Board had released a list of disqualified candidates. In the said disqualification results, the petitioners' name was listed under general category and not on sports category. According to the learned counsel for the petitioners, the petitioners herein are fully qualified for the post of Firman, Jail Warden, TSP, AR in the respondent Board under the sports quota, therefore, the final provisional list released by the respondent board requires interference by this Court.

4. On the other hand, the learned Additional Advocate General appearing for the respondent would submit that the petitioners' application was considered in detail by the respondent-Board. On verification, it was found that the petitioners herein have obtained the sports certificate from the Tamil Nadu Rural Games Association, which is not registered under the Sports Authority.

5. The learned Additional Advocate General relied upon the order passed by this Court in W.P.No. 21506 of 2018 dated 07.09.2018, wherein this Court has considered the similar issue in detail and rejected the claim made by the petitioners therein. The relevant paragraphs are extracted hereunder;

"4. The learned Additional Advocate General appearing for the respondent, submits that the petitioners have no case inasmuch as they have never



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obtained the certificate for representing the State from appropriate institution/ organisation and as such inspite of their securing the cut off marks for inclusion in the provisional list against the quota of sports person, they do not have a case. In this regard, she has drawn the notice of the Court indicating that the petitioners have obtained certificate from the Tamilnadu Rural Games Association for representing the State which is not an recognised Sports Association by the Olympic Association of Tamilnadu, and as such they do not have the case for selection against the sports person quota. Hence, the writ petition is liable to be dismissed. In this regard, notice of this Court has been drawn to the relevant guide lines/instruction.

5. The perusal of the aforesaid would go to show that the Association through which the petitioners stated to have represented by the State of Tamilnadu is not a recognised sports association by the Olympic Association of Tamilnadu and as such their representation of the State of Tamilnadu though that association do not entitle them to get a berth in sports person quota in the selection process. The instructions especially indicates not to recognise such certificate issued by the said institution in sport person quota. For the aforesaid reason, notwithstanding the fact that the petitioners had secured the necessary required cut off marks and had applied against the sports person quota, their non-inclusion in the provisional list against the said quota in the second round of test, cannot be found fault with.

6. In view of the aforesaid, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed."

6. In view of the order passed by this Court cited supra and considering the fact that the petitioners herein had obtained the sports certificate from an un-recognised Association, which is contrary to the notification issued by the respondent-Board, this Court finds no reason to consider the claim of the petitioners seeking interference with the non-inclusion of their names in the provisional list under the sports quota. The respondent-Board has rightly rejected the petitioners, candidature under the sports quota.



7. In the result, these writ petitions are dismissed as devoid of merits. No costs. Consequentially, connected Miscellaneous Petitions are closed.

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Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

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To

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

+lcc to the Government Pleader, S.R.No.66637

W.P.Nos.26456, 26460
& 26463 of 2021
and
WMP.Nos.27918, 27920
& 27921 of 2021

RSI (CO)
RLP(03/01/2022)