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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 12.05.2021

Coram

THE HON'BLE MR.JUSTICE S.S.SUNDAR

Writ Petition (MD)No.9454 of 2021

and

W.M.P (MD)Nos.7176 and 7179 of 2021

D.Karunanithi Ramasamy

... Petitioner

-Vs-

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

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent to include the name of the petitioner in the list of departmental candidates selected for character and antecedents verification and medical examination by reviewing the viva-voice score card pertaining to the petitioner as filed during the personal interview held on 01.03.2021, pursuant to the Notification No.2/2019, dated 08.03.2019 and based on the actual marks awarded therein.

For petitioner : Mr.Ramasundarvijayraj.S
for M/s.Veera Associates

For Respondent : Mrs.S.Srimathy
Special Government Pleader

O R D E R

This writ petition is filed for issuance of a Writ of Mandamus, directing the respondent to include the name of the petitioner in the list of departmental candidates selected for character and antecedents verification and medical examination, by reviewing the viva-voce score card of the petitioner.

2.The petitioner was recruited as Grade-II Police Constable on 01.02.2011. While serving in Police Department, the petitioner also applied for the post of Sub-Inspector, pursuant to the notification issued by the respondent Board, on 08.03.2019.

3.It is the case of the petitioner that in the written examination held on 11.01.2020, the petitioner scored 71.5 marks out of 85. The petitioner also attended the Endurance Test and subjected for Certificate Verification, on 10.10.2020. The petitioner attended



4.It is the case of the petitioner that he did well during viva-voce but surprised to find that he scored only 5 marks out of 10 in viva-voce. Stating that the lesser mark might be due to some mistake or arithmetical error, the petitioner has approached this Court with the above prayer.

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5.The petitioner has submitted a representation, dated 27.04.2021 to the respondent, to review the score card, based on the actual marks awarded and to include the petitioner's name in the list of departmental candidates selected for character and antecedents verification and medical examination. Since the petitioner has come forward with the prayer on the strength of certain factual background, this Court is of the view that the petitioner's representation has to be considered by the respondent, before granting further relief to the petitioner. Accordingly, without expressing any opinion on the merits of contentions raised by the petitioner in the affidavit filed in support of this petition, this Court directs the respondent to consider the petitioner's representation, dated 27.04.2021, on merits and in accordance with law and to dispose of the same, within a period of six weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Vacation Officer

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

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

+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-18542[F] dated 13/05/2021)

+1 CC to M/s.SPL GP (SR-18562[F] dated 13/05/2021)

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