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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.4401 of 2020 and
WMP No.5201, 5208 of 2020

N.Karumulla

...Petitioner

Vs.

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

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondents 1 to 3 to include the petitioner name N.Karimulla, Enrolment Number 0616189 in the provisional selection list for character and antecedents verification and medical examination for common Recruitment of Grade-II Police Constable, Gr.II, Jail Warder and Fireman, 2019, called for in the third respondent proceedings, vide advertisement No.1/2019 dated 06.03.2019.

For Petitioner : Mr.J.Prakasam
For Respondents : Mr.P.Kumaresan,
Additional Advocate General,

Assisted by Mrs.Sowmi Daltan,
Standing Counsel



ORDER

This writ petition has been filed seeking to issue a Writ of Mandamus, directing the respondents 1 to 3 to include the petitioner's name N.Karimulla, Enrolment Number 0616189 in the provisional selection list for character and antecedents verification and medical examination for common Recruitment of Grade-II Police Constable, Gr.II, Jail Warder and Fireman, 2019, called for in the third respondent proceedings, vide advertisement No.1/2019 dated 06.03.2019.

2. The case of the petitioner in brief:

The petitioner had completed his XII standard in the year 2013. The third respondent issued a notification for recruitment to the post of Grade-II Police Constable, Grade-II Jail Warden and Fireman on 03.04.2019 and he attended the written test on 25.08.2019. Thereafter, he attended physical efficiency test on 08.11.2019 and he secured 15 marks out of 15.

2.1. During certificate verification, he could not produce his original SSLC certificate, since he handed over the same, at the time of enrollment of course of Bachelor of Physical Education at Siddartha College of Physical Education, C.Gollapalli, Tirupati (Rural), Chittoor District and it was sent to the concerned University by the above college. Further, it was informed by the college authorities that they cannot give the original SSLC certificate, unless the petitioner discontinued the above course. Therefore, the petitioner informed the above facts and produced the xerox copy of the SSLC Certificate and the respondent Board had also accepted the same.

2.2. The respondent Board had published the provisional selection list on 04.02.2020, wherein, the petitioner's name was not found place. The petitioner had secured 32 marks in the written examination and 15 marks in the physical efficiency test and also 2 marks for the sports certificates. Therefore, the petitioner secured totally 49 marks out of 100 marks. But the persons, who secured lower marks than the petitioner, were provisionally selected by the respondent in the BCM (sports) quota. Hence this writ petition.

3. In the counter affidavit, it is stated that the petitioner had appeared for writ examination and he secured 32 marks, which is sufficient for the category under sports quota. Subsequently, he was allowed for PMT-ET-PET-CV conducted by the Vellore Sub-Committee on behalf of TNUSRB. However, during certificate verification, the petitioner had not produced his



4. Heard the counsel appearing to both the parties and I have perused the materials on record.

6. The learned counsel appearing for the petitioner submitted that the petitioner undertakes to submit the original certificates, within a period of one week, before the respondent Board.

8. The Provisional Selection list was published on 04.02.2020 and the present writ petition filed on 19.02.2020. Considering the fact that the petitioner has already produced the xerox copy of the SSLC Certificate and X Standard mark sheet and the counsel for the petitioner also submitted that the petitioner will submit the original certificates within a week before the respondent Board. Thus, there is some force in the contention of the counsel for the petitioner. Hence, this court is of the view that an opportunity shall be given to the petitioner to produce the original documents. However, considering the fact that already selection process is over, this court is inclined to pass the following order.



9. Accordingly, it is ordered that,

i) The third respondent is directed to send a communication to the petitioner, within ten days from the date of receipt of a copy of this order, fixing the date for certificate verification.

ii) On receipt of such communication, the petitioner is directed to appear before the respondent Board with all the original certificates, as required by the Board, including SSLC Certificate and X Mark Sheet, on the date of certificate verification, to be conducted by the respondent Board.

iii) After certificate verification, the respondent Board is directed to send a communication to the petitioner, within a period of six weeks thereafter.

iv) The respondents are directed to consider the petitioner for selection to the post of Grade-II Police Constable, Grade-II Jail Warden and Firemen, in the future vacancies, if he satisfies all the eligibility Criteria.

10. With the above directions, this writ petition is disposed of. No costs. Consequently, connected writ miscellaneous petitions are closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

mst

To

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



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

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+1 CC to Mr.J.Prakasam, Advocate sr 28094.

W.P.No.4401 of 2020

AD(CO)
SP(09/06/2022)