



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.7038 OF 2022

AND

W.M.P.NOS.7070, 7072 & 7073 OF 2022

1. S.Srinivasan

2. T.Yogaraj

... Petitioners

Vs.

1. The State of Tamil Nadu

Rep. by its Principal Secretary, Home Department,
Secretariat, Chennai - 600 009.

2. The Chairman,

Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore, Chennai - 8.

3. The Member Secretary,

Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police
Office Campus, Egmore, Chennai - 8.

4. The Director General of Police,

O/o The Director General of Police,
Tamil Nadu, Chennai - 600 004.

... Respondents

Prayer: Writ petition filed under Section 226 of the Constitution of India seeking to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned Notification No.01/2022 issued by the 3rd respondent vide his proceedings Nil dated 08.03.2022 and quash the same as illegal in so far as fixing the participation in sports event for the period (5 years) between 08.03.2017 and 07.03.2022 is concerned and consequentially to direct the 2nd respondent to extend the period of the participation in sports events by 2 years i.e., from 08.03.2015 to 07.03.2022 as was granted in respect of age criteria in the very same notification taking into consideration



years thereby it has been extended by 32 years. Therefore, the period of participation, prescribed as 5 years has also to be extended by two years, i.e. from 08.03.2015 to 07.03.2022. The petitioners made representations on 12.03.2022 to the first respondent to extend the period for two years. If the above clause is not amended, the interest of the petitioners would be defeated. Hence this writ petition.

4. The learned Additional Advocate General submitted that the third respondent had issued notification No.1 of 2022 dated 08.03.2022 for direct recruitment for the post of Sub-Inspectors of Police (Taluk & Armed Reserve) 2022 and as per notification, the candidates, who applied under 10% sports quota, are required to produce Form-I or Form-II or Form-III for the approved 16 games/sports for an event held within 5 years, preceding the date of notification i.e. from 08.03.2017 to 07.03.2022. The above said period is fixed by the authorities concerned and hence, it cannot be extended for 2 years, which is not permissible under law. Therefore, the claim of the petitioners cannot be entertained.

5. Heard the learned counsel appearing for the petitioner and the learned Additional Advocate General, and the Additional Government Pleader appearing for the respondents.

6. In the impugned notification No.01 of 2022 dated 08.03.2022, at Clause No.10, it is stated as follows:

10. ELIGIBILITY FOR APPLYING UNDER 10% SPORTS QUOTA:-

i) Candidates applying under 10% Sports Quota should fulfill all the norms prescribed for open candidates. In addition, the candidate is required to produce Form-I, or Form-II or Form -III for the approved 16 games/sports for an event held within 5 years preceding the date of notification i.e. from 08.03.2017 to 07.03.2022.

7. The primordial contention of the petitioners is that, due to Covid-19 Pandemic, and the announcement of full lock down by the Central Government, the State Government had not conducted any sports events for the past two years and hence, the period has to be extended for two years, from 5 years to 7 years. But, the contention of the learned Additional Advocate General is that, the above period has been fixed by the authorities concerned and hence, as per the notification, the petitioners have to produce the certificate for the approved sports for an event held within 08.03.2017 to 07.03.2022. Therefore, this court cannot give direction to the authorities concerned, to extend the period from 5 years to 7 years. However, a perusal



of the records show that the petitioners have made their individual representations on 12.03.2022 to the first respondent to extend the above period. Therefore, it is for the respondents to consider the above representations and pass orders on its own merits, either by granting such relief or by rejecting the claim of the petitioners.

8. Accordingly, it is ordered as follows.

i) The first respondent is directed to consider the representations of the petitioners dated 12.03.2022 and pass appropriate orders, on its own merits, within a period of 10 days from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

mst

To

1. The Principal Secretary to Government,
Home Department,
Secretariat, Chennai - 600 009.
2. The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore, Chennai - 8.
3. The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Egmore, Chennai - 8.
4. The Director General of Police,
O/o The Director General of Police,
Tamil Nadu, Chennai - 600 004.

+1cc to the Government Pleader, S.R.No.21042

W.P.No.7038 of 2022

SPD(CO)

RLP(06/04/2022)