



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.04.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

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Orders Reserved On 06.04.2022	Orders Pronounced On 18.04.2022
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W.P. (MD) No.2632 of 2021 and
W.M.P. (MD) Nos.2177 & 2178 of 2021

Hariprakash

.. Petitioner

-vs-

The Member Secretary,
Tamilnadu Forest Uniformed Services
Recruitment Committee (TNFUSRC),
No.1, Jeenis Road, Panagal Maaligai,
8D - Floor , Saidapet, Chennai - 600015.

.. Respondent

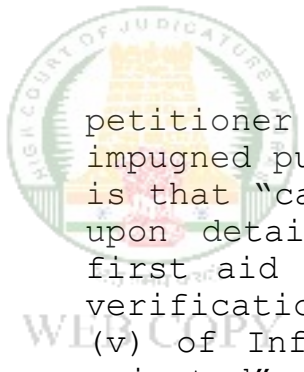
Prayer:- Petition under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records pertaining to the impugned rejection of candidature order issued by the respondent through his web site dated 27.01.2021 in so far as the petitioner (Table - 1(b) by S.No.8, in REG.No.20020004171) is concerned for the post of Forest Guard with Licence and quash the same and consequently direct the respondent to accept petitioner's First Aid certificates and to select and appoint the petitioner to the post of Forest Guard with Licence within the time stipulated by this Court.

For Petitioner : Mr.G.Kannan
for M/s.Veera Associates
For Respondents : Mr.R.Baskar, Additional Advocate General
assisted by Mr.M.Ramesh
Government Advocate

O R D E R

The publication of list of candidates rejected in post examination activities to the post of Forest Guard/Forest Guard with Driving Licence in website dated 27.01.2021 is under challenge in the present writ petition.

2. The petitioner states that he is fully qualified for selection to the post of Forest Guard with Driving Licence and participated in the process of selection. The petitioner was called for certificate verification and he attended and produced all the educational experience certificates and other relevant certificates. The certificate verification committee satisfied with the first aid certificates produced by the writ petitioner and surprisingly, the



petitioner came to understand that his name was rejected through the impugned publication. The reason stated in the impugned publication is that "candidate was provisionally admitted to Endurance Test, but upon detailed scrutiny of certificates, it was noticed that the first aid certificate produced by the candidate during certificate verification was not valid. Therefore, as per Clause 17(iv) and 17(v) of Information Brochure, the candidature of the candidate was rejected".

3. The learned counsel for the petitioner reiterated that as per the Information Brochure, the first aid certificate for the post of Forest Guard with Driving Licence has been stated as under:-

"Candidates must possess valid First Aid Certificate issued by the recognized organization in Tamil Nadu at the time of Online Registration and also at the time of Certificate Verification. It is also informed that the candidature of many candidates was cancelled during the last recruitment of Forest Guard with Driving Licence for not producing valid First Aid Certificate."

4. Accordingly, the petitioner submitted valid first aid certificate and in spite of that, his name was rejected. Therefore, the writ petition is to be considered.

5. The learned counsel for the petitioner further contended that provisional certificate was issued initially and thereafter, a certificate was issued by St. John Ambulance Association. Therefore, the petitioner has produced all necessary certificates as per the requirements notified in the Information Brochure and thus, the case of the writ petitioner has to be considered.

6. The learned Additional Advocate General appearing on behalf of the respondent objected the said contention by stating that all the verifications are done strictly in accordance with the notification issued. The petitioner produced the certificate on 13.10.2020, which is beyond 30.11.2019, which is also a certificate submitted not in accordance with the Information Brochure. The notification was issued on 30.11.2019 and as on 30.11.2019, the petitioner has not produced the required certificate. Certificate verification was done subsequently and at the time of verification, the authorities found that the certificate obtained by the petitioner was after the date of notification and therefore, as per the conditions stipulated in the Information Brochure, for first aid certificate, the petitioner became ineligible.

7. Let us now consider the conditions for first aid certificate for the post of Forest Guard with Driving Licence. The condition categorically stipulates that the candidates must possess valid first aid certificate issued by the recognised organisation in Tamil



Nadu **"at the time of online registration and also at the time of certificate verification"**. Therefore, the first aid certificate must be as on the date of notification, i.e., 30.11.2019 and the petitioner could not able to establish that he has produced a valid first aid certificate as per the Information Brochure issued by the respondent-Tamil Nadu Forest Uniformed Services Recruitment Committee. Furthermore, on the date of notification, the petitioner do not possess the valid first aid certificate and it was submitted only on 13.10.2020. In view of the fact that the petitioner has not produced the valid first aid certificate for selection to the post of Forest Guard with Driving Licence, this Court is not inclined to grant the relief as such sought for in the writ petition.

8. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(P & A)

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/ /2022

Sub Assistant Registrar(CS)

abr

To

The Member Secretary,
Tamilnadu Forest Uniformed Services
Recruitment Committee (TNFUSRC),
No.1, Jeenis Road, Panagal Maaligai,
8D - Floor , Saidapet, Chennai - 600015.

+1 CC to M/s.VEERA ASSOCIATES, Advocate (SR-19277[F] dated 19/04/2022)

Order made in
W.P.(MD) No.2632 of 2021
18.04.2022

ck(CO)

TR(05.05.2022) 3P 3C