



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.04.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.4852 of 2020

and

W.M.P.(MD) Nos.4220 & 4651 of 2020 & 488 of 2021

Arunachalam

... Petitioner

-vs-

1. Tamil Nadu Uniformed Services Recruitment Board,
Rep., by its Chairman,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore, Chennai-600 008.

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

... Respondents

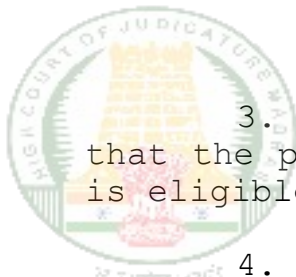
Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the 2nd respondent to award the petitioner ½ mark for NSS certificate and one more mark for the Question No.31 in "D Series" "A" part in the Tamil Nadu Uniformed Services Recruitment Board examination 2019.

For Petitioner	:	Mr.H.Arumugam
For Respondents	:	Mr.Veera Kathiravan Additional Advocate General assisted by Mr.A.K.Manikkam Special Government Pleader

O R D E R

The Writ of Mandamus has been filed to direct the 2nd respondent to award ½ mark to the petitioner for NSS certificate and 1 mark for Question No.31 in 'D Series' "A" Part.

2. Pursuant to the recruitment notification issued for selection and appointment to the post of Grade-II Police Constable, the petitioner participated in the process and was successful. He participated in the physical measurement test, endurance test and efficiency test. During the certificate verification also, the petitioner was successful. However, he was not selected.



3. The learned counsel for the petitioner made a submission that the petitioner secured 68.50 marks. Therefore, the petitioner is eligible for selection to the post of Grade-II Police Constable.

4. The learned Additional Advocate General objected the said contention by stating that it is true that the petitioner has scored 68.50 marks and the details are 53 marks in written examination, 15 marks in physical test and 0.5 marks for NSS Certificate. Therefore, 0.5 mark was awarded for NSS certificate to the petitioner.

5. With reference to another claim of the writ petitioner, that one mark to be awarded to Question No.31 in 'D Series' "A" Part, the learned Additional Advocate General contended that an Expert Committee was appointed, who in turn gone into the question and the answer scripts of the petitioner and found that the answer given by the petitioner was incorrect. This apart, the petitioner belongs to B.C.(General) PSTM category. The cut off mark for the said category was 69 and the petitioner scored only 68.50 marks and therefore, he was not selected.

6. When the petitioner is not falling within the zone of consideration and it is clarified by the learned Additional Advocate General that mark was awarded for NSS Certificate and further Question No.31 in 'D Series' "A" Part was also solved by the Expert Committee, there is no other reason whatsoever to entertain the claim of the writ petitioner.

7. This Court is of the considered opinion that the doubts raised by the petitioner are answered, as 0.5 marks were awarded to NSS certificate and regarding Question No.31 in 'D Series' "A" Part, the Expert Committee was appointed, who in turn found that the answer written by the petitioner was incorrect. Therefore, the petitioner was not falling within the zone of consideration for selection and thus, the writ petition is devoid of merits and stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

abr



To

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

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

+1 CC to M/s.SPL.GP. (SR-20510[F] dated 22/04/2022)

+1 CC to M/s.H.ARUMUGAM, Advocate (SR-20982[F] dated 25/04/2022)

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