



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.01.2022

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.7594 of 2020

and

W.M.P(MD)Nos.7087 to 7089 of 2020

WEB COPY

N.Kaleeswaran

Petitioner

Vs.

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

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

Respondents

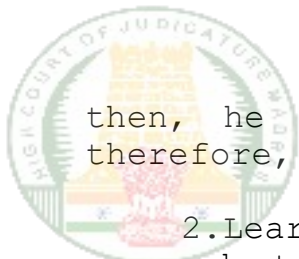
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed by the first respondent in the official website dated 23.03.2020 and quash the same as illegal and consequently, directing the first respondent to select the petitioner for the next phase of selection for the post of Sub-Inspector of Police (Taluk, Armed Reserve (Men & Women / Transgender) & Tamil Nadu Special Police (Men) - 2019).

For Petitioner : Mr.R.Rajaraman

For Respondents : Mr.Veera Kathiravan
Additional Advocate General
Assisted by
Mr.S.Saji Bino,
Special Government Pleader

O R D E R

The petitioner is working in Armed Reserve of Ramnad District as Grade II Police. Pursuant to the notification issued by the first respondent dated 08.03.2019, calling for applications for the post of Sub-Inspector of Police (TK, AR, TSP), 2019, the petitioner has applied for the same, under the Departmental Candidates quota. He appeared for the written examination held on 12.01.2020 and secured 43 marks. The petitioner is a meritorious sports person and the cut-off marks for sports quota under his category is 37 marks. Even



then, he was not selected for the next phase of selection and therefore, he has filed this writ petition.

2.Learned Additional Advocate General appearing for the respondents admits that the petitioner is a Departmental candidate and has secured 43 marks. He submits that the petitioner has applied under the sports quota and has also submitted a sports certificate in Form-III. For a candidate to be eligible for applying under the sports quota, the candidate is required to produce a certificate in Form I or Form II or Form III, for the approved 15 games / sports and the event should be conducted from 08.03.2014 to 08.03.2019. The relevant portion on the eligibility of sports quota from the Information Brochure is extracted as under:

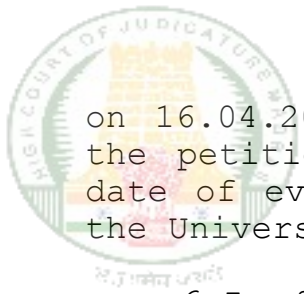
"10.ELIGIBILITY FOR APPLYING UNDER 10% SPORTS QUOTA:-

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 15 games / sports for an event held within 5 years preceding the date of notification ie., from 08.03.2014 to 08.03.2019."

3.The petitioner has rightly submitted a sports certificate in Form-III along with his application. The game in which the petitioner participated is also an approved one. But, in the certificate, it was mentioned that the event was conducted during 2018-19. The exact date of the event was not mentioned, so as to ascertain whether the event was conducted before the cut-off date, ie., 08.03.2019. Even then, the petitioner was provisionally allowed to participate in the written examination and vide e-mail communication dated 19.02.2020, the petitioner was instructed to submit the sports certificate in the prescribed format by 21.02.2020. However, the petitioner has not submitted the same and therefore, his candidature was considered under the general quota. The cut off marks for his category under the general quota is 48.50 marks, whereas, the petitioner has secured only 43 marks and therefore, he was not selected for the next phase of selection. He further submits that the entire selection process was completed and the selected candidates are now in the training phase.

4.Heard the learned Counsel appearing on either side and perused the materials placed on record.

5.Admittedly, the petitioner is a Departmental candidate, having sports certificate as well. The sports certificate submitted by the petitioner is enclosed in the typed-set of papers and it appears the petitioner participated in Volley Ball competition and lost in the second round. The event was conducted at SRM University, Chennai, during the year 2018-19. The certificate (Form-III) is acceptable by the respondents. It was signed and issued by the Director of Physical Education, Madurai Kamaraj University, Madurai,



on 16.04.2019. This is a certificate issued by the University and the petitioner cannot be found fault with for not mentioning the date of event, in a format of certificate which was maintained by the University.

6.In fact, in the certificate, it is mentioned that the event was conducted for the year 2018-19. An academic year in an educational institution means from April to March of the year. Therefore, in all fairness, the respondents ought to have given the benefit to the petitioner and allowed him to participate in the next phase of selection, since he has cleared the cut-off marks for sports quota.

7.Be that as it may, the petitioner, in response to the e-mail communication of the respondents dated 19.02.2020, has approached the Director of Physical Education, Madurai Kamaraj University, Madurai and obtained an endorsement in the certificate, by mentioning the tournament date as 09.11.2018 to 14.11.2018. But, before this certificate was produced before the respondents, his candidature was considered under the general quota and was rejected, on the ground that no sports certificate was produced on or before 21.02.2020. The petitioner, who is working in Ramnad District, has approached Madurai Kamaraj University, Madurai and obtained an endorsement in the certificate for a tournament that was conducted in the year 2018, which is not a piece of cake that could be done within two days.

8.It is now clear that the sports event was conducted well within the cut-off date fixed by the respondents. The game was an approved one and the petitioner has submitted the necessary certificate (Form-III). He has also cleared the cut-off marks fixed for his category under the sports quota.

9.In view of the above discussions, this writ petition stands disposed of with a direction to the respondents to permit the petitioner to participate in the next phase of selection and proceed further. In the event of the petitioner cracking the further phases of selection, he shall be selected and sent along with the next batch of candidates for training. There shall be no order as to costs. Consequently, connected miscellaneous petitions stand closed.

Sd/-

Assistant Registrar (CS-III)

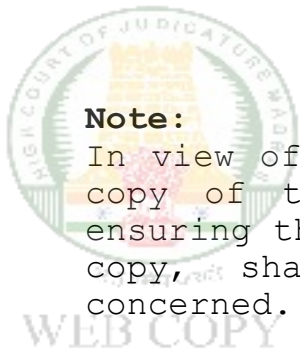
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Sub Assistant Registrar(CS)

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<https://hcservices.ecourts.gov.in/hcservices/>



Note:

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

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

- 2.Inspector General of Police / Member Secretary,
The 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-2360[F] dated 25/01/2022)

+1 CC to M/s.R.RAJARAMAN, Advocate (SR-2125[F] dated 24/01/2022)

W.P(MD) No.7594 of 2020
21.01.2022

RD(02.03.2022) 4P 5C