



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.10126 of 2020

and

W.M.P (MD) .No.9104 of 2020

A.Sundarapandi ... Petitioner
Vs.

1.The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road,
V.O.C.Nagar,
Park Town,
Chennai-600 003.

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

3.The Superintendent of Police,
Thoothukudi District,
Thoothukudi. ... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned Memorandum Number No.420/PSD-D1/2018, issued by the 1st respondent dated 30.07.2020 as not valid and void, under law and thereby quash the same as illegal and thereby recruit the petitioner for the posts included in Group-IIA services for the year 2017-2018, by permitting this petitioner to claim his candidature with Ex-serviceman priority concession.

For Petitioner : Mr.F.X.Eugene

For Respondents : Mr.A.K.Manikkam

Special Government Pleader



O R D E R

The order of rejection rejecting the candidature of the petitioner for recruitment to the post of Assistant is under challenge in the present Writ Petition.

2. The petitioner participated in the process of selection for appointment to Group-IIA post. The petitioner is BC Ex-Serviceman Category. He applied under the said category. The petitioner was successful in the written examination. At that time of verification of documents, the Selection Committee found that the petitioner was an Ex-serviceman and already he availed the Ex-serviceman quota for securing appointment to the post of Grade-II Police Constable in Tamil Nadu Police Service and he is working as Grade-II Police Constable. When the petitioner has already exhausted the Ex-Serviceman quota by securing appointment in the Tamil Nadu Police Service, he is not entitled to avail the Ex-Serviceman quota once again as per Section 3 clause (j) sub-clause (i) to (vii) of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016.

3. It is made clear that the Ex-serviceman is entitled to avail the Ex-serviceman quota for securing government service one time. Once such benefit is availed by the Ex-Serviceman and the petitioner has already been appointed and he is working as Grade-II Police Constable, he cannot further avail the Ex-Serviceman quota. Therefore, this Court do not find any infirmity in respect of the reasons furnished in the order impugned.

4. Accordingly, the Writ Petition stands dismissed. No costs. Connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

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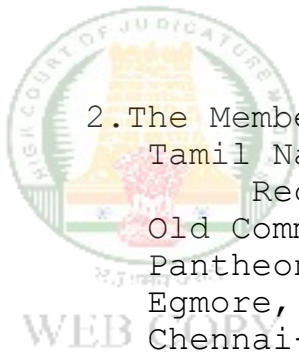
/ /2022

Sub Assistant Registrar(CS)

ssb

To

1.The Secretary,
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V.O.C.Nagar,
Park Town,
Chennai-600 003.



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

3.The Superintendent of Police,
Thoothukudi District,
Thoothukudi.

+1 CC to M/s.F.X.EUGENE, Advocate (SR-14024[F] dated 24/03/2022)

+1 CC to M/s.SPL GP (SR-14482[F] dated 25/03/2022)

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24.03.2022

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