



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.03.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.18310 of 2021

D.Thangapandi

... Petitioner

-vs-

1.The Chairman,
Tamil Nadu Uniform Service Board,
Egmore, Chennai-08.

2.The Member Secretary,
Tamil Nadu Uniform Service Board,
Egmore, Chennai-08.

... Respondents

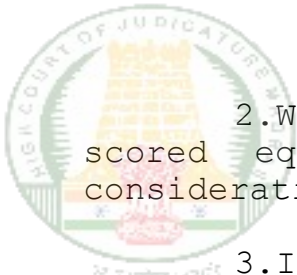
Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to select and appoint the petitioner in the post of Sub Inspector of Police (Taluk Armed Reserve (Men and Women/Transgender) and Tamil Nadu Special Police (Men) 2019 under BC (General) Departmental Category by operating the reserve list in accordance with section 27(f) of the Tamil Nadu Government Servants (Conditions of Service Act) 2016 within the time stipulated by this Court.

For Petitioner : Mr.S.Ramasundarvijayraj

For Respondents : Mr.Veerakathiravan,
Additional Advocate General
assisted by Mr.A.K.Manikkam,
Special Government Pleader

O R D E R

The petitioner is now working as Grade-II Constable in Tamil Nadu Police Service. The petitioner participated in the process of selection for recruitment to the post of Sub Inspector of Police. The petitioner was successful in the written examination and allowed to participate in the physical verification test and endurance test. As per the recruitment notification, 20% of the post of Sub Inspector of Police is allotted to the in-service candidates. The claim of the writ petitioner is that though he scored 80 marks, he was not selected on account of age criteria.



2. When more than one candidate in the process of selection scored equal marks, the date of birth will be taken into consideration for the purpose of selecting the candidates.

3. In the present case, the other candidate, who scored the same mark of 80 is senior by date of birth and therefore, he was recruited. The date of birth of the petitioner is 17.05.1985 and the date of birth of the selected candidate is 19.06.1979. Therefore, the other candidate, who is senior to the petitioner scoring equivalent mark, was recruited as per the rules.

4. This being the factum, this Court is of the considered opinion that the petitioner has not established any other acceptable ground for considering the relief as such sought for in the present writ petition and the writ petition is liable to be dismissed.

5. Accordingly, this Writ Petition stands dismissed. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (P&A)

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/ /2022

Sub Assistant Registrar (CS)

To

1. The Chairman,
Tamil Nadu Uniform Service Board,
Egmore, Chennai-08.

2. The Member Secretary,
Tamil Nadu Uniform Service Board,
Egmore, Chennai-08.

+1 CC to M/s.S.RAMSUNDARVIJAYRAJ, Advocate (SR-14066[F] dated 24/03/2022)

+1 CC to M/s.SPL GP (SR-14266[F] dated 24/03/2022)

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