



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 21.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.19882 of 2020

and

W.M.P(MD)No.16551 of 2020

WEB COPY

M.S.Monish Raj

... Petitioner

Vs

1.The State of Tamil Nadu,
Represented by its
Principal Secretary,
Home Department,
Secretariat,
Chennai - 600 009.

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

3.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office campus,
Egmore,
Chennai.

4.The Director General of Police,
Office of the Director General of Police,
Tamil Nadu,
Chennai - 600 0004.

5.The Sports Development Authority of Tamil Nadu,
Chennai.

... Respondents

*[R5 is Suo Motu impleaded vide Court
order dated 09.02.2021]*

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorarified mandamus, to call for the records relating to the result in respect of declaration of the respondents that the sports certificate submitted by the petitioner is invalid communicated by the respondent through email regarding the combined recruitment of Grade-II Police Constable / Jail Warder/ Fireman for the year 2019 on the file of the respondent and quash



the same as illegal and direct the respondent to award the marks against the sports certificate and consequently direct the respondents to allow the petitioner to the next selection process for the above recruitment.

For Petitioner : Mr.G.Thiruvavutselvan
For Respondent : Mr.Veerakathiravan,
Nos.1 to 4 Additional Advocate General,
assisted by Mr.S.Saji Bino,
Special Government Pleader
For Respondent : Mr.Santhoshkumar,
No.5 for Mr.K.Azhagu Raman

ORDER

This writ petition has been filed challenging the rejection of the petitioner's candidature in the Combined recruitment of Grade-II Police Constable / Jail Warder/ Fireman for the year 2019.

2.The petitioner has taken part in the Common Recruitment for the Posts of Gr.II Police Constable, Gr.II Jail Warder and Fireman, 2019 by applying under the sports quota. The petitioner has not been selected, as he has secured 47 marks, which is below the cut off mark.

3.The learned Counsel for the petitioner submitted that the petitioner has applied under the sports quota and submitted all the sports certificates in the prescribed format. However, marks sheet has been issued as if he has secured 47 marks in the written test and no special marks have been provided for the sports certificates and the physical efficiency test marks were also not taken into consideration. Therefore, the petitioner is before this Court.

4.The learned Additional Advocate General appearing for the respondents submitted that the petitioner has applied under the sports quota and he has secured 40 marks in the written examination. The sports certificates produced by the petitioner are issued by a sports association, which is not a recognised association and not mentioned in the list of recognised associations in the Annexure-9 of the information brochure. Therefore, he was not considered under the sports quota. Instead of rejecting her candidature, he was considered under the General Category, under which, 48 is the cut off mark in the written test. As the petitioner has scored 47 marks, he has not been selected to the next level of selection process.

5.This Court has paid its anxious consideration to the rival submissions and perused the materials placed on record.



6.The petitioner has appeared in the selection process for appointment to the post of Gr.II Police Constable, Gr.II Jail Warder and Fireman, 2019 and he has applied under sports quota. According to the learned Additional Advocate General though the petitioner has applied under the sports quota, the sports certificates produced by the petitioner was not obtained from the recognised sports association, but obtained from some other sports association. Therefore, the petitioner could not be considered under the sports quota and he was considered under the general category, for which 48 is the cut off mark in the written test, but the petitioner has obtained 47 marks only in the written test. Since the petitioner has not produced the sports certificates as specified and he has not secured the required cut off marks, the petitioner's candidature has rightly been rejected.

7.In the result, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

dsk

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 Principal Secretary,
Home Department,
Secretariat, Chennai - 600 009.
- 2.The Chairman,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office Campus,
Pantheon Road, Egmore, Chennai.
- 3.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Old Commissioner of Police Office campus,
Egmore,

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



4.The Director General of Police,
Office of the Director General of Police,
Tamil Nadu,
Chennai - 600 0004.

5.The Sports Development Authority of Tamil Nadu,
Chennai.

+1 CC to M/s.K.ALGURAMAN, Advocate (SR-2278[F] dated 25/01/2022)

+1 CC to M/s.SPL.GP (SR-2358[F] dated 25/01/2022)

W.P (MD) No.19882 of 2020
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KMV(CO)
GC(05.03.2022) 4P 8C