



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 11.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

W.P (MD) No.22099 of 2021

P.Ganesan

... Petitioner

Vs

1.The Director General of Police,
Kamarajar Salai,
Mylapore,
Chennai - 600 004.

2.The Chairman,
The Tamil Nadu Uniformed Services Recruitment Board,
No.807, Second Floor,
Anna Salai, Chennai - 600 002.

3.The Member Secretary,
The Tamil Nadu Uniformed Services Recruitment Board,
No.807, Second Floor,
Anna Salai, Chennai - 600 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, directing the respondents to relax the cut off mark eligible to the post of Grade-II Police, Grade-II Prison Police and Grade-II Fire Servicemen under Ex-Servicemen quota for the examination held on 30.07.2021 pursuant to the Advertisement No.1/2020, dated 17.09.2020 issued by the 3rd respondent, by considering the petitioner's representation dated 06.12.2021 to appoint him in any one of the posts called for by the Tamil Nadu Uniformed Service Recruitment Board for the year 2020 as per the Advertisement No.1/2020 dated 17.09.2020.

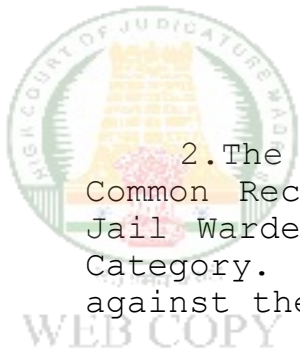
For Petitioner : Mr.B.Prasanna Vinoth

For Respondents : Mr.Veerakathiravan,
Additional Advocate General,
assisted by Mr.S.Saji Bino,
Special Government Pleader

ORDER

This writ petition has been filed for a direction to the respondents to relax the cut off mark under the Ex-Servicemen Quota for the post of Grade-II Police, Grade-II Prison Police and Grade-II Fire Servicemen.

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



2.The petitioner has taken part in the Common Recruitment for the Posts of Gr.II Police Constable, Gr.II Jail Warder and Fireman, 2020 by applying under the Ex-Servicemen Category. He has not been selected, as he has secured 54 marks against the cut off mark of 55.00 under BC Ex-Servicemen category.

3.The learned Counsel for the petitioner submits that the petitioner has applied under the Ex-Servicemen category, the petitioner has scored 54 marks, but he has not been selected. The learned Counsel further submits that no person has been selected under the Ex-Servicemen category and therefore, prays for relaxing the cut off mark of 55 in the particular category.

4.The learned Additional Advocate General appearing for the respondents submitted that the petitioner has applied under the BC Ex-Servicemen category and he has secured 42 marks in the written examination and 12 marks in the physical endurance test, in total, he has secured 54 marks. The cut off mark under the BC Ex-Servicemen category is 55 marks. Since the petitioner has scored below the cut off mark, he has not been selected. Further in respect of the averment that no person has been selected under the BC Ex-Servicemen category, the learned Additional Advocate General seeks time to file counter.

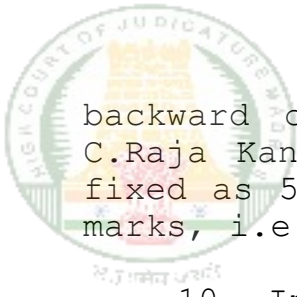
5.This Court has paid its anxious consideration to the rival submissions and perused the materials placed on record.

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, 2020 and he has applied under BC Ex-Servicemen category. According to the learned Additional Advocate General the cut off mark under the BC Ex-Servicemen category is 55 marks, whereas the petitioner has scored 42 marks in the written test and 12 marks in physical endurance test and in total he has obtained 54 marks only. The petitioner was very much considered only under the BC Ex-service man category and he has not reached the zone of consideration.

7.Further, the learned Counsel for the petitioner alleged that no person has been selected and appointed under the BC Ex-Servicemen category.

8.In order to ascertain the same, this Court sought clarification from USBR. In response to the same, the learned Special Government Pleader produced a list of Ex-Servicemen selected and appointed under Ex-Servicemen category.

9.It appears that 5% reservation is provided under Ex-Servicemen quota and accordingly 529 candidates were selected, of



backward classes. The last candidate in the BC category is one C.Raja Kannan and his mark is 55. Therefore, the cut off mark is fixed as 55 marks and the petitioner, who has secured below the 55 marks, i.e., 54 marks, was not selected.

10. In view of the above, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

dsk/ogy

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

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+1 CC to M/s.B.PRASANNA VINOTH, Advocate (SR-1399[F] dated 12/01/2022)

W.P (MD) No.22099 of 2021
11.01.2022

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