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W.P.(MD)No.18737 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2022

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THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.18737 of 2017
and
W.M.P.(MD)No.15116 of 2017

M.Vinoth Kumar

... Petitioner

vs.

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

2.The Member Secretary,
Tamil Nadu Uniformed Services Recruitment Board,
Egmore, Chennai-8.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the entire records, relating to the impugned Provisional Selection List published by the respondents



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on 31.08.2017 through their official website and its consequential not selected order passed by the respondents against the petitioner, published on 08.09.2017 through their official website and to quash the same as illegal and consequently, to direct the respondents to consider the candidature of the petitioner to the selection for the post of Combined Recruitment of Grade -II Police Constables / Grade -II Jail Warders/ Firemen – 2017 within time limit that may be stipulated by this Court.

For Petitioner : Mr.M.S.Jeyakarthik
For Respondents : Mr.Veera Kathiravan
Additional Advocate General
assisted by Mr.P.Thambidurai
Government Advocate

ORDER

This writ petition is filed for issuance of a writ of Certiorarified Mandamus, to quash the impugned Provisional Selection List published by the respondents on 31.08.2017 through their official website and its consequential not selected order passed by the respondents against the petitioner, published on 08.09.2017 through their official website and consequently, to direct the respondents to



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consider the candidature of the petitioner to the selection for the post of Combined Recruitment of Grade -II Police Constables / Grade -II Jail Warders/ Firemen – 2017 within time limit that may be stipulated by this Court.

2. The respondents have filed a counter affidavit wherein it is stated as under:

“It is submitted that even if the petitioner otherwise being considered under PSTM with 67 marks in total is not getting qualified under the least cutoff date of birth (i.e.) 10.04.1993 (for firemen) whereas the petitioner's date of birth is 15.04.1993. Hence his prayer to consider and appoint him for the post of Gr.II Police Constable/Gr.II Jail warder and Firemen 2017 is not maintainable.”

Since the petitioner is not having adequate marks, the petitioner was not considered under PSTM. Moreover, there are several persons with 67 marks under the category of PSTM. Therefore, the respondents have fixed the cutoff date as 10.04.1993 and recruited the persons covered within the zone of consideration.



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3. It is so unfortunate that the petitioner could not get appointment. However, the respondents have followed certain procedures and when the petitioner is not coming within the zone of consideration, then the claim of the petitioner cannot be entertained. Therefore, this Court is not inclined to interfere. Hence, the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No

15.11.2022

Internet : Yes

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To

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S.SRIMATHY, J

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